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Report on the Judicial Admin. (Civil) Central Provinces

1873

Sub - Judicial Administration | Civil Justice | Report | Central Provinces

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FROM

J. W. NEILL ESQUIRE,

OFFG. SECRETARY TO THE CHIEF COMMISSIONER,

Central Provinces.

TO

THE REGISTRAR,

JUDICIAL COMMISSIONER'S COURT,

Central Provinces.

Dated Nagpur, the 4th July 1873.

SIR,

I am directed to acknowledge the receipt of the Judicial Commissioner's Report on the administration of Civil Justice during the year 1872. The subject has been very fully treated by the Judicial Commissioner in all its bearings, and there are but very few remarks which the Chief Commissioner thinks it necessary to add.

Number of Courts.

2. The number of Courts open at any one time or during the year altogether, depends very much on accident and circumstances foreign to the amount of litigation. The main thing is that there shall be a sufficient number of Courts to dispose with fair promptitude of the judicial business brought before them. This was the case during the year reported on, and as a matter of fact the number of Courts open during the year, or open at its close, did not materially differ from the number open in 1871.

The Judicial Commissioner has adverted to the abandonment of the single Court system after the close of the year 1872. According to that system the Civil Judicial work at every station was entrusted to a single officer invested with the highest powers which he was competent to exercise, so as to prevent the necessity of assigning to a second officer the hearing of causes beyond the competence of the first.

It was found, however, that this system threw all appeals on Commissioners of Division even in the most trifling cases, while it further obliged Deputy Commissioners to give up exclusively to Civil Judicial work the services of their best and frequently their only Assistant. The Judicial Commissioner renders unnecessary any further justification of the change that has been introduced from the beginning of the current year by quoting the Chief Commissioner's Circular which ordered the change.

It is true that, as Colonel Mackenzie says, "the change viewed simply in "its Judicial aspect is to be regretted inasmuch as both original and appellate "business is in an important degree shifted from Courts of a superior to Courts "of an inferior calibre," but the Chief Commissioner cannot see how "regularity in Judicial procedure is materially sacrificed." In any case he is convinced that the advantages of the change far outweigh the disadvantages thereof, and he has satisfied himself by personal inquiry that the relief afforded to Commissioners is very great. No longer overburdened with the hearing of a vast number of very petty appeals, they have more time to devote to their important administrative work. There is also this further to be said, that the new system accords more closely with the intention of the Legislature in framing the Central

Provinces Courts' Act, for that Act clearly contemplated that the suits of lower value and smaller importance should be tried by the lower Courts according to their powers, and the more important suits by the higher Courts according to theirs, and not that a superior class of Courts should hear all suits from the highest to the lowest value.

Pleaders.

3. In paragraph 13 the Judicial Commissioner has endeavoured to show that the great increase in suits of low value that has been noticed for several years, is not due to the excessive employment of pleaders, and the Chief Commissioner thinks he has succeeded in proving this, but on the other hand the Chief Commissioner does not think, that the theory of litigation being increased by pleaders is much damaged by the circumstance that the decrease in litigation shown in the returns for 1872 occurred largely in 7 out of 11 places where pleaders practise, seeing that the Judicial Commissioner had during the year very properly warned the Courts not to decree costs against a defendant when the plaintiff simply used the Courts as an inexpensive agency for collecting debts due to him. This would in a large number of cases include pleaders' fees, for the Commissioner and Deputy Commissioner of Nagpur refer to the "common practice of taking general retainers from large firms." "The pleader thus retained conducts the small as well as the great suits of his employer as a matter of course." Whether such a practice is not unprofessional, the Chief Commissioner must leave it for the Judicial Commissioner to determine. The Commissioner of Jabalpur again states that "the practice of feeing touts is freely resorted to." That this must have a powerful effect on litigation can scarcely be doubted, while the practice itself is one that the Chief Commissioner must regard as far from creditable.

Although the Judicial Commissioner says that "the fees allowed as costs are about as low as possible, and in connection with excessive employment of pleaders little or nothing would be gained by altering the fee rules," Mr. Morris is not sure whether it would not be a good and wise measure to prevent pleaders from appearing before the lower classes of Courts; or since the higher Courts frequently try cases of very small value, prevent them from appearing in cases below a certain value, and on this point he would be glad to be favoured with an expression of the Judicial Commissioner's opinion.

Nagari character in processes.

4. The use of the Nagari instead of the Persian character in Judicial processes has, the Chief Commissioner is glad to see, been a popular innovation.

Number of suits.

5. The number of suits that came before the Courts in 1872 was 71,812 compared with 76,092 in 1871. The Chief Commissioner hails with satisfaction this the first decrease in the amount of litigation from the year 1862 onwards. In only 4 districts, Mandla, Nimar, Bilaspur, and Hoshangabad, was there an increase Litigation has thus been very generally arrested and though it has not been clearly ascertained how the result has been produced the result is in itself satisfactory. It would be gratifying could we think that litigation reached in 1871 its highest level, and that at length the tide has turned.

The Judicial Commissioner has in Section B. of his report remarked on the monthly fluctuations in litigation; the value of suits which has generally declined; the value of suits in different districts; the nature of the suits generally and in the various districts. The Chief Commissioner can add nothing to the Judicial Commissioner's analysis, which carefully brings out every point deserving of attention.

With reference to paragraph 29 I am to note that the great irregularity of the Deputy Commissioner of Bhandara has been separately noticed by the Chief Commissioner.

6. The manner in which suits were disposed of did not materially differ from the corresponding results in 1871, and the Judicial Commissioner's remarks on this heading in paragraphs 32 to 41, leave nothing further to say.

Disposal of suits.

7 In last year's report the question of decrees for payment by instalments was prominently noticed, and the proposition of permitting payment by instalments under certain circumstances was dwelt on. The Chief Commissioner and subsequently the Government of India expressed their assent to the opinions that had been recorded on the subject.

It is satisfactory to notice that such decrees are now more frequent than formerly, and though from paragraph 42 of the report it appears that some of the Courts were inclined to decree payment by instalments too indiscriminately and generally, a tendency that has been checked by the Judicial Commissioner, a proper use of this provision of the law is calculated to be most beneficial and should be insisted on. During the year the Chief Commissioner had at the instance of the Government of India to inquire into the causes of some not inconsiderable emigration of ryots from Nimar into Holkar's territory, and it was ascertained that the principal cause of emigration was the procedure of our Civil Courts through which creditors can strip their debtors of all their goods if they have not the wherewithal to pay their debts; and many men in that position preferred to leave their homes rather than remain the slaves of their creditors, and all the more readily because they were promised land on easy terms, and exemption from the Civil Courts of law if they would settle just beyond our borders. Could these men have counted on time being given them to repay what they owed, their choice might have been different.

8. In paragraph 44 the matter of interest is touched on in connection with decrees for debts, a considerable portion of which is made up of interest. The remarks of the Deputy Commissioners, referred to by the Judicial Commissioner show that the circumstances of the ryots in their districts are such as to call for the application of our Courts of the principles of equity when suits against ryots are brought before them. A most admirable Circular on this subject was issued by the Chief Court of the Punjab, (Book Circular 111., dated 18th January 1873) in the beginning of the year and reading the Circular at the time it was published in the *Punjab Gazette*, the Chief Commissioner could not help thinking that it would be well if the attention of the Courts in these Provinces was directed to it. The Chief Commissioner perceives that the High Court of Judicature at Fort William has recently been pleased "to publish and commend to the earnest consideration of "Judicial officers" the same Circular, and the Chief Commissioner would now suggest to the Judicial Commissioner that it might be well to follow the example of the High Court at Calcutta and publish the Circular for the guidance of our Judicial officers also.

Interest.

9. The number of suits pending at the close of the year was 3,625; the number is not excessive.

Pending suits.

10. The duration of cases was on an average 28 days in contested and 17·5 days in uncontested cases This is perhaps sufficiently low In some districts the average duration was considerably beyond the Provincial average and might to some extent be lessened. But the Chief Commissioner knows how impossible it is in many cases to show a low average duration.

Duration.

11. Appeals were somewhat fewer in number, 2,323 against 2,533.

Appeals.

1,174 of the appeals were to Commissioners, and 1,149 to Deputy Commissioners.

Special appeals to the Judicial Commissioner numbered 202.

The result of appeals may be said to be favourable.

In 55 per cent of the cases the decree of the lower Court was confirmed.

In 18 per cent it was reversed.

In 6·6 per cent it was modified.

In the remaining cases the appellate Court either dismissed the appeal for default or remanded the case for re-trial.

In the Judicial Commissioner's Court the results were not quite so favourable,—

The decrees were confirmed in 45 per cent.
modified in 6 do.
reversed in 20 do.

Execution of decrees.

12. The applications for execution of decrees were 36,988,—a considerably smaller number than in 1871 and smaller even in proportion to the number of decrees passed. In Nimar, Sambalpur, and Bilaspur only did applications for execution increase.

In the case of some districts the number of applications for execution decreased very remarkably, and in none more than in Damoh, where the percentage of decrease on the previous year's figures was 39. It has been suggested by several officers and among others by Mr. Jones, Officiating Commissioner of the Nagpur Division, that the "reviving prosperity and good harvests after a "period of distress" was the cause of the decrease of litigation generally, and a *fortiori* of the decrease in the number of applications for execution of decrees. If this were indeed the cause, nothing could be more gratifying, for Mr. Morris fully concurs with the Judicial Commissioner that "litigation in these "Provinces during late years has assumed its large proportions by reason of the "poverty of the people." The explanation that has been suggested will, however, not apply generally, for in Damoh, where it has been seen that the decrease in the number of applications for execution of decree has been greatest, it is known that considerable distress prevailed during the year, and the year was the third in succession to bring bad harvests.

The Chief Commissioner is glad to see that immediate executions of decree on verbal application have been less frequent; there is certainly danger of that provision of the law being abused.

It is shown that out of 36,503 applications for execution disposed of, 12,493 decrees were executed in full, 9,319 in part and 14,691 were not executed at all. The Chief Commissioner cannot say that he feels at all sure that the large proportion of decrees executed only in part or not at all is a favourable feature of our Judicial administration.

13 There is no other point in the report that calls for special notice, and the Chief Commissioner can only express his general satisfaction with the working of the Civil Courts during the past year and his gratification at the general instructions issued by the Judicial Commissioner with a view to mitigating the harsh working of our Courts and Judicial system having commenced to bear fruit.

I have the honor to be,
Sir,
Your most obedient Servant,

J. W. NEILL,
Officiating Secretary.

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Appendix A, analysing the course of litigation in each District and in the principal Courts of Small Causes during 1872.

Appendix B, containing Judicial Commissioner's Circulars 4 and 10 of 1872, quoted in Appendix A.

IMPERIAL STATEMENTS.

B I.—Showing the various Judicial tribunals, original and appellate, existing in the Province.

B 6.—Showing the number and description of suits instituted in the original Courts.

B 7.—Showing the value of suits disposed of in the original Courts.

B 8.—Showing the general result and trial of suits in the Courts of original jurisdiction.

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PROVINCIAL STATEMENTS.

III.—Showing the general result of the trial of original suits in the District and Small Cause Courts, with percentages under the principal heads of disposal.

IV.—Showing the business of the several Appellate Courts.

V.—Showing the execution of decrees in the District and Small Cause Courts.

VI.—Showing the miscellaneous Civil business.

VII.—Statement of Process fees.

No. 496.

FROM

THE REGISTRAR, JUDICIAL COMMISSIONER'S COURT,

Central Provinces.

TO

THE SECRETARY TO THE CHIEF COMMISSIONER,

Central Provinces.

Dated Nagpur, 22nd May 1873.

SIR,

I have the honor to submit the annual Report on the administration of Civil Justice in these Provinces for the year 1872, with the prescribed Statements as per margin. The District and Divisional Reports are also submitted in original.

IMPERIAL STATEMENTS.

B 1.—Showing the various Judicial Tribunals, original and appellate, existing in the Province.
B 6.—Showing the number and description of suits instituted in the original Courts
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PROVINCIAL STATEMENTS.

III.—Showing the general result of the trial of original suits in the District and Small Cause Courts, with percentages under the principal heads of disposal.
IV.—Showing the business of the several appellate Courts.
V.—Showing the execution of decrees in the District and Small Cause Courts.
VI.—Showing Miscellaneous Civil business.
VII.—Statement of Process fees.

2. The subject will as usual be treated under the following sections.

Order of subjects. A.—The Tribunals (Statement B. 1.)

B.—The extent and character of litigation (Statements B. 6 and B. 7)

C.—The general distribution and results of the trial of Civil suits in the Courts of original jurisdiction (Statements B. 8 and III.).

D.—The appellate business (Statements B. 9 and IV.)

E.—Execution of decrees (Statements B. 10 and V.)

A.—THE TRIBUNALS.

3. The number of Civil Courts open at the close of 1871 and 1872 respectively are compared in the margin, *

	1871.	1872.
Court of the Judicial Commissioner	1	1
Courts of the Commissioner ...	4	4
Courts of the Deputy Commissioner ..	19	19
Courts of the Assistant Commissioner ..	28	23
Courts of the Tahsildar ..	38	38
Courts of the Naib-Tahsildar ..	11	9
	.. 101	94
Courts of Small Causes in Cantonments ..	4	4
Courts of Small Causes at Nagpur and Jabalpur	2	2
Grand Total..	107	100

Changes in Courts.

The smaller number of Courts of the Assistant Commissioner open at the close of the year signifies no closing of such Courts in favour of others, but only a greater concentration in single courts of the Assistant Commissioner at District head-quarters, of the business apportioned to Courts of the Assistant Commissioner. The figure for 1871 more than that for 1872 included Courts of the Assistant Commissioner open only for occasional business, as for instance cases against Europeans. But the figure for 1872 excludes one Court, the second Court of the Assistant Commissioner at Khandwa, which disposed of a large amount of work (2,543 suits) during the year, and was only closed on the 11th December.

L. R.—26—276—360.

It was found necessary in 1872 to employ the Tahsildar of Nagpur in Civil business, but this addition was counterbalanced by the Court of the Assistant Commissioner at Seoni entirely relieving the Tahsildar there of Civil work.

The Court of the Naib Tahsildar, Warora, was closed on the 15th March, in accordance with the suggestion of the Deputy Commissioner of Chanda, quoted in para. 5 of the report for 1871, viz., that the desired relief to the Tahsildar might be preferably accomplished by transfer of the cases of the Chimur Pargana to the Court of the Assistant Commissioner at Chanda. The Officiating Commissioner writes,

Para. 3. * * "The Deputy Commissioner records that Plaintiffs complain of the inconveniences which this arrangement causes them, but does not think the grievance deserving of much attention. I am not at present in a position to offer an opinion on the point, but shall bear it in mind."

The Court of the Naib-Tahsildar of Rehli was reopened on the 30th July.

Thus, as in 1871, so during the greater part of 1872, there were eleven Courts of the Naib-Tahsildar, but at the end of November the Naib-Tahsildar of Gadarwara was promoted to officiate as Tahsildar of Chaorpatta, and the Naib-Tahsildar of Sihora proceeded on leave, thus reducing the number at the very close of the year to 9.

The Single Court system.

4. The rule that both at the Head Quarters of districts and at out-stations the disposal of Civil business be restricted when possible to one Court presided over by the best Officer available, was maintained throughout the year.

This rule was introduced in 1868 in accordance with the Chief Commissioner's instructions circulated with his office Book Circular VI. of 1868. It has now been abandoned, under the Chief Commissioner's Book Circular II. of 1873, on grounds which the following extracts explain :—

2. * * "The rule has now been in force for some years, and the results of its observance are (1) that both at the head-quarters of districts and at out stations, where there are both an Assistant Commissioner and a Tahsildar, an Assistant Commissioner is made the Judge of the Civil Court, (2) that the Tahsildar at the head-quarters of each district has no Judicial work at all, (3) that the Assistant Commissioner in charge of the Civil Court is invested with the highest powers an Assistant Commissioner can exercise in order that he may take up each and every case that can be instituted in the Court of an Assistant Commissioner, and thus obviate the exercise of Judicial powers by any second Assistant. The consequence of this is that all appeals from Assistant Commissoners, even in the most trivial cases, lie to the Commissioner of the Division, instead of to the Deputy Commissioner of the District, and that Commissioners of Division are overloaded with petty Judicial work to the great detriment of the more important business that they have to perform. Deputy Commissioners know very little of anything of the Judicial work of their Assistants, whose cases do not come before them on appeal, and the amount of Judicial work that they do is inconsiderable. The staff of Assistant Commissioners is again so limited in numbers that Deputy Commissioners not unfrequently complain that the necessity of giving up exclusively to Judicial work the services of their single or at any rate only thoroughly efficient and experienced Assistant hampers them greatly in the administration of their charge, and that the Tahsildars at head-quarters who are not qualified for the performance of the duties they would entrust to the Assistant have sufficient leisure to undertake a considerable amount of Judicial work."

6. * * "The Chief Commissioner is aware that the Judicial work of the Province is increasing, but it is not within his power to give additional Judges or office establishments."

7. "Judicial work, no doubt, hampers officers who have also executive work to perform and who are often obliged to go into the interior of their districts, but the difficulty is inseparable from the Non-regulation system of administration, and the Central Provinces are too poor to pay for any other. The difficulty must be recognized and faced."

And the following system was prescribed by the same Book Circular for future guidance—

5. * * "There shall not be either at head-quarters or at an out-station more than one officer exercising simultaneously the same class of Judicial powers, unless exceptional circumstances shall compel a departure from the rule, in which case a special report must be made and sanction to other arrangements obtained. Tahsildars at the head-quarters of a district shall in future take up all Civil suits within their competency to the extent to which the Deputy Commissioner thinks they conveniently can. At the head-quarters of every district there shall be a Station Court presided over by an Assistant or Extra-Assistant Commissioner, who shall have the powers of a Court of the 3rd or 4th Class under the Central Provinces' Courts Act, *i. e.* shall have power to hear all suits up to Rs. 500 or Rs. 1000 in value. This officer will hear all suits above the competency of the Tahsildars but within his own, and such suits within the competency (as regards primary jurisdiction) of the head-quarters Tahsildar as the Deputy Commissioner may wish to assign to him so as to relieve the Tahsildar. Suits above Rs. 1000 in value will be laid, in the smaller districts, in the Court of the Deputy Commissioner himself, and, in the larger districts, in the Court of an Assistant Commissioner invested with the powers of a Court of the 5th Class"

6. "Some additional work that has been performed by Commissioners will now be thrown on Deputy Commissioners, but they will be able to utilize more fully the services of their Assistants"

7. * * * "If Officers having Judicial work to perform or appeals to hear are obliged to go into camp, their Judicial work must be either postponed, or it must be performed in camp. As things now stand, either considerable delay in the disposal of Judicial business must be permitted, or else the Judicial business must be done in the interior of the district as well as at head-quarters. The convenience of suitors must be consulted to the utmost possible extent, but it must not be allowed to outweigh the good administration of all other departments of Government. It will however only be in the case of Tahsildars and Deputy Commissioners that Judicial work will ever probably have to be done in the interior of their charges."

As explained in the Judicial Commissioner's special report adverted to in para. 3 of the Book Circular conveying the above instructions, the change, viewed simply in its Judicial aspect, is to be regretted, inasmuch as (1) both original and appellate business is in an important degree shifted from Courts of a superior to Courts of an inferior calibre, and (2) regularity in Judicial procedure is materially sacrificed.

Additional Civil Court for Sironcha.

5. The want of a Civil Court at Sironcha during the Deputy Commissioner's frequent prolonged absences from head-quarters is again adverted to in the report of the Deputy Commissioner, Upper Godavari District (para. 3).

Appellate Courts of the Commissioner.

6 In the Report for 1871 it was pointed out that the Civil appellate work devolving upon Commissioners was too heavy and a scheme for their relief by the formation of another Court of the Commissioner was submitted in a special report, dated 27th April 1872. The excessive pressure of appellate work on Courts of the Commissioner will now be diminished under the distribution of business arising out of the instructions of Chief Commissioner's Book Circular II. of 1873 above quoted.

During the year a second Court of the Commissioner was constituted in the Nagpur Division from the 10th February to the 10th March, and in the Narbada Division from the 1st to the 22nd April, during which periods the Commissioners of those Divisions had other special duty to perform.

7. At the instance of the Judicial Commissioner the important appointment of District Clerk of Court has been made subject to the Chief Commissioner's sanction. The office is well paid, but except in the Mahratta districts there is considerable difficulty in making fit nominations when vacancies occur, and some of the appointments are now occupied by incompetent men.

District Clerks of Court.

8. On the subject of Court Houses the Judicial Commissioner will only remark this year that the Judicial Commissioner's Court house at Nagpur has at length been rendered sufficiently commodious.

Court Houses.

9, During the year the subject of Courts' cash chests and malkhanas or store-rooms, requisite wherever a Court is held, for the safe keeping of property in the Court's charge, was brought under complete review, and steps were everywhere taken to remedy defects, so as to render both cash chests and malkhanas secure and fit for their purpose.

Cash chests and Malkhanas.

10 The Commissioner of the Chhattisgarh Division in para. 16 of his report shows that on inspection of the Sambalpur District Courts he found the records in great disorder. He has been desired to report to this office as soon as matters in this respect have been rectified. Elsewhere the record-rooms are in very good order.

Record Rooms.

The defects which were reported last year in the Nimar and Hoshangabad Districts have been put right.

11. During the year the requirements of parties and pleaders contemplating further Judicial proceedings in connection with decided cases have been met by the issue of rules, under the Chief Commissioner's sanction, enabling reference by such persons to the records of previous Judicial proceedings, and advantage has to some extent been taken of the rules.

Rules for inspection of records.

12. The Commissioner of the Jabalpur Division notices the want of a separate debtor's Jail at Sagar. The arrangements for debtor prisoners there are much the same as in most other parts of the Provinces, but the Commissioner desires not only the entire separation of debtors from personal association with criminal prisoners, but also from all sight and sound of them. No doubt it would be well if this could be arranged everywhere. The Judicial Commissioner believes that an arrangement of this kind is now being effected at Jabalpur.

Civil Jails.

13. Two only out of 30 candidates passed at the annual examination for pleaders' certificates held in November last. Besides these, two Vakils of the Calcutta High Court were granted certificates during the year to plead in these Provinces, and are practising at Jabalpur.

Pleaders

Altogether 43 pleaders were practising in these Provinces at the close of 1872, at the 11 places named in the margin.* Pleaders are thus seen to practise at about one out of every five places at which Civil Courts are open.

Nagpur	.. 14
Bhandara	.. 2
Wardha	.. 3
Jabalpur	... 7
Sagar	... 5
Rehli	.. 1
Damoh	.. 2
Seoni	.. 1
Hoshangabad	.. 3
Narsinghpur	... 4
Burhanpur	.. 1
	43

In connection with the remarks of the Government of India on review of the Civil Report for 1871, suggesting that excessive employment of pleaders might "be connected with the larger increase of cases of low "value" special statistics were compiled during the last four months of 1872. The general result shows that out of 6,280 suits disposed of during that period at places where pleaders had

ordinarily practised in the Courts, pleaders were employed, on one or both sides, in 2193 cases or nearly 35 per cent, of which 905 suits or 41 per cent were contested. Further particulars are abstracted in the two following Tables:—

Grades of value.	Total suits disposed of.	Suits in which pleaders were employed.		
		Number	Percentage of total disposed of.	Percentage contested.
Not exceeding ... .. Rs. 5	678	46	7	3
Above Rs. 5 to Rs. 20	1,982	445	22	37
Do. „ 20 „ 100	2,465	998	40	35
Do. „ 100 „ 500	895	515	58	50
Do. „ 500 „ 1,000	169	113	67	62
Do. „ 1,000 „ 5,000	83	68	82	63
Do. „ 5,000	8	8	100	100
Total ...	6,280	2,193	35	41

Description of suits.	Total suits disposed of.	Suits in which pleaders were employed.		
		Number.	Percentage of total disposed of.	Percentage contested.
A.—On written obligation	3,399	1,238	36	29
B.—Other suits for money due on contract, including rent not under the rent law	1,895	492	26	49
C.—For recovery of personal property or value thereof ...	427	121	28	75
D.—For immoveable property or to establish rights therein...	358	258	72	60
E.—For damages	113	42	37	69
F.—Other suits	88	42	48	81
Total ...	6,280	2,193	35	41

First it will be noticed that whereas "the larger increase" in 1871, to which the Government of India alludes, occurred chiefly in suits not exceeding Rs. 5 in value, which increase continued also in 1872, still the number of such suits in which pleaders were employed was insignificant and only equalled 2 per cent. of their total business.

Places.	Suits instituted in Courts at places in Column I.	
	1871.	1872.
Nagpur	1,727	1,742
Bhandara	1,586	1,335
Wardha	1,966	1,861
Jabalpur	831	896
Sagar	1,288	1,322
Rehli	1,017	523
Damoh	1,284	899
Seoni	1,260	1,014
Hoshangabad	3,764	3,309
Narsinghpur	2,861	2,614
Burhanpur	2,844	3,297

Further as against the theory that litigation is increased by pleaders, it is noticeable that the decrease in litigation shown in the Returns for 1872 occurred largely at 7 out of the * eleven places where pleaders practice.

* O. L. U.—26—277—360.

Next the proportion of suits in which pleaders are employed is shown (Table I. above) to be less in each class of suit than in the next higher class according to value; and the proportion of suits contested was less in the lower than in the higher values.

Then, from the second table it appears that about half of the pleaders' business is connected with suits (classes B. to F) in the conduct of which their assistance, to the extent to which it is used, may be conjectured to be more or less requisite to suitors, and this view seems confirmed by the very large proportion (as contrasted with the provincial average of 23 per cent) in which suits of those classes conducted by pleaders were contested. But the other half of the pleaders' business was connected with suits on written obligation (chiefly bond debts.) These suits are analysed in the following table:—

Grades of value.	Total suits on written obligation disposed of from September to December 1872.	Suits in which pleaders were employed.		
		Number.	Percentage of total disposed of	Precentage contested.
Not exceeding Rs 5 ...	123	21	17	14
Above Rs 5 to Rs 20 ...	981	268	27	29
„ 20 „ 100 ...	1,653	646	39	26
„ 100 „ 500 ...	511	226	44	30
„ 500 „ 1,000 ...	89	47	53	57
„ 1,000 „ 5,000 ...	37	25	68	52
„ 5,000 „	5	5	100	100
Total ...	3,399	1,238	36	29

Doubtless there was some unnecessary employment of pleaders here, especially in the suits not exceeding 20 in value, and in some of the uncontested suits not exceeding 100 in value Their employment in these suits arises frequently out of the practice followed by some money lenders of contracting with a pleader to conduct all their business in Court whatever its value or nature may be. The Judicial Commissioner has addressed the Courts enjoining care not to include in costs expenses such as pleader's fees which have been unnecessarily incurred. The Judicial Commissioner found it necessary to draw the attention of some Courts which he inspected on his tour to the provisions of the Law on this head, and it is believed that this will act as some check against excessive appearance of pleaders in simple suits of the smallest values. The fees allowed as costs are about as low as possible, and in connection with excessive employment of pleaders, little or nothing would be gained by altering the fee rules.

Vernacular copies of Acts.

14. Some of the reports mention the deficiency which to a greater or less extent continues to exist in the files of vernacular Acts in the Courts presided over by Native Judges. The subject has been separately reported upon to your office.

15. During the year the general use of the Urdu character in the preparation of Judicial processes in the nine districts marginally *noted was given up in favour of the Nagri character, that character being better known than the Urdu character by those generally to whom processes issue in those districts. The change was introduced without difficulty, a sufficient number of the Court officials being able to write the Nagri character as well, although not so fast, as the Urdu character. If the persons to whom the processes are directed belong to classes who are better acquainted with the Urdu character or with English, the Nagri character is of course not used. But the Nagri character being best known in the country is the character which has now been brought into general use in the issue of processes. The subject is touched upon in the following extracts from local reports :—

Jabalpur.
Sagar.
Damoh.
Seoni.
Mandla.
Hoshangabad.
Narsinghpur
Betul.
Chhindwara.

The Nagri character.

(*Jabalpur Division report, para.* 14).—" I may here note that the partial introduction of the Hindi character in Court proceedings does not appear to have hindered or delayed work. Enquiries were made at the time and it was found that with very few exceptions all the Court officials could read and write the Hindi character."

" It is true that these officials complain that it takes longer to write Hindi than to write Urdu, but there has been no other inconvenience, while the boon to the country people has been great, for there are but few villages in which some of the inhabitants cannot read Hindi, and thus they have not now to depend on the Police, or to go long distances, to have processes read to them. The issue of processes in Urdu was certainly indefensible, whatever may be thought of its merits in the interior working of Court Administration."

(*Sagar district report, para.* 21). * * * —"The measure is a popular one, as in every village there is nearly always some one who has a slight knowledge of Hindi, sufficient to enable him to make out a process. I have already brought to your notice that although all officers report that much more time is occupied in filling in the forms in Nagri, yet in no case are the difficulties insurmountable, and I am of opinion that the present staff of officials is sufficient to carry out such work as is required by the Circular."

16. During the year the Courts were open on 245 days as compared with 287 days in 1871. The difference of 42 days is owing to the larger number in 1872 of Civil Court holidays. The schedule of Civil Court holidays now comprises one whole month and 19 occasional holidays extra to those holidays observed in the public offices generally. The month's vacation in 1872 occurred in May. A special report on the subject was submitted in this office No. 237 of 5th March 1873, and, in accordance with the Chief Commissioner's instructions, the month's vacation will occur this year in December. This long vacation, though not necessary to the public, seems useful to the administration generally. In the interests of Civil Justice its occurence in December will be more economical than in May, which is about the busiest month of the year.

Holidays.

B.—Extent and Character of Litigation (Statements, B6. and B7.)

17. The total number of suits instituted during 1872, (Statement B6,) was 71,812 as compared with 76,092 in 1871, being a decrease of 4,180 suits or 5½ per cent.

The total litigation.

18. The usual table comparing suits instituted (including suits re-instituted) during each year since the formation of the Central Provinces in 1862, is given in the following page. It will

Extent compared with former years.

Statement showing the number of suits instituted and reinstituted in the Civil Courts of the Central Provinces from 1862 to 1872.

Year.	Nagpur. District.	Nagpur. City Small Cause Court.	Nagpur. Cantonment Small Cause Court Kamthi.	Nagpur. Total.	Chanda.	Bhandara.	Wardha.	Balaghat.	Jabalpur. District.	Jabalpur. City Small Cause Court.	Jabalpur. Cantonment Small Cause Court.	Jabalpur. Total.	Sagar. District.	Sagar. Cantonment Small Cause Court.	Sagar. Total.	Seoni.	Damoh.	Mandla.	Hoshangabad.	Betul.	Nimar. District.	Nimar. Cantt. Small Cause Court, Asirgarh.	Nimar. Total.	Karainghpur.	Chhindwara.	Raipur.	Bilaspur.	Sambalpur.	Upper Godavari.	Grand Total.
1862..	3,349	1,622	1,612	6,583	607	5,750	656	..	1,619	315	504	2,438	2,813	601	2,914	806	760	360	2,016	1,058	..	...	...	2,121	705	1,326	163	345	7	21,666
1863..	3,620	1,436	2,338	6,794	687	1,634	592	..	1,385	1,321	686	3,392	2,380	572	2,952	973	729	201	2,202	1,142	..	...	..	2,631	1,038	820	222	201	35	26,305
1864..	2,847	1,692	1,706	6,045	716	1,692	490	...	1,230	1,683	612	3,525	2,109	1,161	3,270	1,280	85[illegible]	354	3,1[illegible]3	1,22[illegible]	4,393	..	4,398	2,542	870	1,221	707	275	42	32,697
1865.	2,974	1,288	806	5,068	649	2,076	927	...	1,734	1,739	455	3,928	2,741	709	3,450	1,343	1,377	563	5,857	1,156	3,854	..	3,854	3,558	1,303	1,573	1,781	695	66	39,254
1866..	3,286	2,320	1,017	6,623	2,021	2,420	1,216	..	1,405	1,636	481	3,522	2,988	72[illegible]	3,703	1,185	1,28[illegible]	421	5,279	1,194	7,561	..	7,561	3,416	1,345	1,379	2,896	594	163	45,250
1867..	3,390	3,289	1,323	8,002	3,219	2,934	1,893	303	1,655	1,662	296	3,613	2,724	389	3,113	1,268	1,709	380	5,127	1,97[illegible]	5,541	27	5,563	3,272	1,990	1,406	3,762	592	8[illegible]	48,544
1868..	4,586	4,660	2,663	10,709	3,636	2,795	3,057	816	1,699	2,052	541	4,292	3,612	55[illegible]	4,171	1,394	1,631	401	5,494	2,732	6,508	244	6,752	4,125	2,770	1,659	3,466	53[illegible]	125	58,558
1869..	5,529	4,415	3,454	13,398	2,006	2,814	3,724	925	1,441	1,984	514	3,939	4,052	835	4,887	1,387	1,76[illegible]	523	5,068	2,354	7,854	293	8,147	4,535	3,340	1,982	1,298	886	159	63,137
1870..	5,648	4,880	3,407	13,935	2,587	3,596	4,277	727	1,725	2,435	445	4,605	4,003	692	4,695	2,18[illegible]	1,693	656	6,75[illegible]	2,702	7,689	165	7,854	5,657	4,027	3,123	1,863	959	289	72,183
1871..	6,761	5,306	2,594	14,661	2,937	3,597	6,169	1,236	2,278	2,499	463	5,240	3,132	699	3,831	2,61[illegible]	1,783	560	6,69[illegible]	3,207	8,551	118	8,669	6,383	3,616	3,194	2,381	1,112	286	78,088
1872..	6,060	5,061	2,779	13,900	2,072	3,122	5,485	939	2,313	2,400	511	5,224	2,652	672	3,324	1,90[illegible]	1,343	67[illegible]	7,21[illegible]	3,249	9,572	174	9,746	5,593	3,537	2,614	2,561	1,087	277	73,955
Grades and number of Courts at the close of 1872.																														
Courts of the Deputy Commissioner ...				1	1	1	1	1				1			1	1	1	1	1	1			1	1	1	1	1	1	1	19
Courts of the Assistant Commissioner.				2	1	1	2	1				2			1	1	1	1	2	1			2	1	1	1	1	1	...	23
Courts of the Tahsildar ...				4	2	2	2	...				2			3	2	1	1	3	1			3	1	1	4	3	2	1	38
Courts of the Naib Tahsildar ...				3	...	...	2	1			...				1	...	..	..	...	1		..		...	1	...	...	...	..	9
Small Cause Courts and Registrars' Courts.				4	..	...	...	..				2			1	...	..	..	..	..			1	..	..	..	..	...	..	8
Total ...				14	4	4	7	3				7			7	4	3	3	0	4			7	3	4	6	5	4	2	97

be seen that while this is the first year in which there has been no general increase, and on the contrary a decrease of litigation as compared with any preceding year, still the institutions of 1872, although less than of 1871, exceed those of 1870 by 1,772 suits or more than 2 per cent.

See Appendix A.

Explanation of increases and decreases of litigation.

19. An analysis locally* of the course of litigation during the year, does not bear out the generalizations from the net results of the year made in many of the local reports in oversight of fluctuations of a controverting character which occurred during the course of the year. Arrangements have now been made to ensure more relevant comments on the rise and fall of litigation in future years.

* Statement B6.

Increases and decreases in different Courts and Districts.

20. Comparing the institutions before classes of tribunals* it appears that the number of suits instituted in Courts of Small Causes during 1872 (11,455) was nearly the same as in 1871 (11,499). The same Courts of Small Causes were open in both years. Decreases of about 4 per cent occurred before the Nagpur and Jabalpur City Courts of Small Causes, but these were compensated by increases before the Cantonment Courts. The institutions in the Kamthi Cantonment Small Cause Court rose 7 per cent, but the figure for 1872 (2771 suits) supports the conclusion in last year's report, that the institutions of 1871 (2,591), though a decrease of 24 per cent. on the figure for 1870, indicated nothing abnormal during 1871.

It appears then that the decrease of the year occurred before the ordinary Courts of the Provinces, *i. e.*, Courts other than Small Cause Courts established under Act XI of 1865. Before these the institutions fell from 64,593 in 1871 to 60,357 in 1872, or 6·6 per cent. This decrease again was greater before District Courts *i. e.*, Courts of the Assistant Commissioner, and Deputy Commissioner, than before Sub-divisional Courts *i. e*, Courts of the Tehsildar and Naib Tehsildar, the rate of decrease in the former being 8·6, and in the latter 4·6 per cent.

While referring to Appendix A for further details, and for explanations so far as traceable it may be convenient to note here the Districts in which the principal increases and decreases in the number of suits occurred.

Districts (excluding Small Cause Court figures).	Number of suits in 1871.	Number of suits in 1872.	Percentage of increase or decrease.
Mandla	549	660	+20·
Nimar	8,372	9,423	+12·5
Bilaspur	2,352	2,520	+7·
Hoshangabad	6,530	6,954	+6·4
Wardha	5,991	5,325	—11·
Nagpur	6,600	5,858	—11·
Narsinghpur	6,148	5,440	—11·4
Sagar	2,938	2,579	—12·
Bhandara	3,363	2,924	—13·
Raipur	3,155	2,584	—19·
Balaghat	1,159	913	—21·
Damoh	1,772	1,315	—26·
Seoni	2,549	1,822	—28·5
Chanda	2,911	2,018	—30·6

Monthly fluctuations in litigation.

21. In the following table the institutions in the Provinces during each month of 1871, 1872, are compared.

Months.	Number of suits instituted (including re-instituted). 1871. Total.	1871. Average per Court day.	1872. Total.	1872. Average per Court day.	Increase in number.	Decrease in number.	REMARKS.
January ...	7,228	289	6,569	..	...	—659	Decreases occurred in 13 districts. The Courts were more or less interrupted to increase official agency for the census of 25th January. Moreover the tide of litigation which usually ebbs during the cold weather months was particularly low from November 1871.
February ...	5,776	240	5,914	281	+138	...	
March ...	6,405	267	5,112	300	...	—1,293	Decrease common to 6 districts. The Courts were closed this month for 7 Civil Court holidays not granted in 1871. The daily average of suits was even higher than in 1871.
April ...	6,666	303	8,159	339	+1,493	...	Partly reaction, partly anticipatory of the May vacation.
May ...	7,845	302	9	...	...	—7,836	Civil Court vacation month granted for the first time in 1872.
June ...	7,291	280	10,203	408	+2,912	..	Reaction after May vacation.
July ..	8,157	326	9,504	365	+1,347	..	The same continued.
August ..	8,013	308	6,902	276	...	—1,111	Decrease occurred in 14 districts and the only reason that can be suggested is that the mean rain-fall in the Province this month was 14·65 inches as compared with 6·67 inches in August 1871. This would naturally keep people to their homes and fields.
September ..	6,282	251	6,438	292	+156	...	There was reaction (see the daily average). But the effect on the total was kept down by 3 extra close holidays.
October ..	5,537	240	5,200	273	...	—337	Courts closed for four Civil Court holidays not granted in 1871, and this more than counterbalanced increased institutions on open days.
November ..	4,601	200	5,216	226	+615	..	The comparative increases in 1872 during these months are brought out by a comparison with particularly low figures representing the total litigation in the corresponding months of 1871.
December ...	4,287	225	4,730	262	+443	..	
Total ..	78,088	272	73,956	...	—4,132		

Subject then to exceptional causes specially affecting the litigation of certain Courts or Districts, the general conclusions are these. The large decrease in August was of an exceptional character, it does not appear to have been compensated by subsequent institutions in September or October, and there is not sufficient reason for attributing the increase in November and December to decreases in August. Putting out of sight then the exceptional month of August, as well as the month of September whose figures present nothing remarkable, we have two periods, one comprising the first 7 months, and the other the last 3 months of the year. In the first of these periods we have a net decrease of 3,898 suits as compared with the litigation during the corresponding period in 1871, and the decrease, viewed generally, is fairly explained by the additional holidays of the year. It might be expected that institutions prevented by holidays would only be deferred until the re-opening of the Courts. But the figures bear out what is remarked in several of the reports, that obstruction to institutions often leads to private adjustment.

The reports also attribute decreases in a general way to more careful treatment of uncontested cases, more frequent decrees for payment by instalments, and more discriminate award of costs, induced by instructions issued in the sense of paras. 37—42 of last year's report. But inquiries made in September showed that these instructions had little or no effect during the period of the year now referred to, or until attention was thus again drawn to them. In the last of the two periods above referred to, that is to say in the last quarter of the year, the tendency of litigation to increase again showed itself.

Value of suits generally.

22. The relative values of suits disposed of in the years 1871-1872, are compared in the following table:—

Grades of value.		1871.		1872.		Percentage of total suits.		Average value.	
		Number of suits disposed of.	Total value.	Number of suits disposed of.	Total value.	1871.	1872.	1871.	1872.
			Rs.		Rs.				
Not exceeding Rs.	5	10,723	34,618	11,543	35,790	14·2	16·3	3·2	3·1
Do	20	27,354	3,43,918	25,186	3,12,649	36.2	35·7	12·9	12·4
Do	100	29,805	12,79,275	26.635	10,05,713	39.4	38·	43·	38·
Do	500	6,768	12,27,381	6,197	11,69.592	8·9	8·8	181	188
Do	1,000	566	3,84,349	512	3,60,135			679	703
Do	5,000	387	8,33,853	315	6,12,760			2154	1945
Do	10,000	24	1,97137	29	2,06,135	1·3	1·2	8214	7108
Exceeding Rs.	10,000	20	4,52,557	17	4,09,276			22627	24057
Total		75,647	47,53,088	70,434	41,12,050	100	100	63·	58·5

The most noteworthy features are (1) the increase in suits not exceeding Rs. 5 in value (and averaging only Rs. 3 in value) from 10,723 or 14 per cent of all suits, to 11,543 or 16 per cent of all suits; and (2) the decrease of average value in all suits of Rs 100 and under, which form 90 per cent of all suits. Throughout the Province only 873 suits last year exceeded Rs. 500 in value, and only 17 suits exceeded Rs. 10,000.

Value of suits in districts.

23. The only districts in which (excluding Small Cause Court figures) there has been an increase in the gross value of suits are—

	Value of suits in 1871. Rs.	Value of suits in 1872. Rs.	Percentage of increase Rs.
Hoshangabad ...	4,65,882	5,69,228	22
Sagar ...	2,38,111	2,54,834	7
Jabalpur ...	4,47,827	4,60,013	3

Despite the increase in number of suits in Mandla, Nimar, and Bilaspur, the total value litigated there decreased largely, especially in Nimar.

Suits not exceeding 5 rupees in value.

24. The largest increase in suits not exceeding Rs. 5 in value o curred in the following distr cts:—

Districts. (Small Cause Courts inc'uded with Districts)	1871.		1872.	
	Number of suits not exceeding Rs. 5.	Percentage of suits not exceeding Rs. 5.	Number of suits not exceeding Rs. 5.	Percentage of suits not exceeding Rs. 5.
Bhandara ...	377	11·5	730	24·
Nimar ...	1,189	14·3	1,826	19·5
Hoshangabad ...	646	10·	916	13·4
Belaspur ...	530	22·	628	25·3

Special explanation has been called for from the Bhandara district, as not only was the increase in these suits very large, but their average value was exceptionally low, only Rs. 2·4; moreover the increase in the number of these petty suits was accompanied with such decreases in suits of all the higher values, as to cause a net falling off of 254 suits in the total suits disposed of.

Reference was made to the Deputy Commissioner, Nimar, regarding the large increase of these suits in that district, but it appears to have been common to all the Courts of the district, and no explanation is suggested. It may be noted, however, that the increase in this grade was accompanied by a remarkable corresponding decrease of 675 suits in the grade from Rs. 5 to 20.

These suits (not exceeding Rs. 5 in value) decreased largely in the Balaghat and Seoni districts, in which they had greatly increased in 1871. The proportion of such suits is smallest in the Narsinghpur, Jabalpur, and Wardha districts, being respectively 9·4, 11· and 11·4 per cent.

Suits not exceeding Rs. 20 in value.

25. Suits not exceeding Rs 20 in value [including suits under Rs. 5] form 52 per cent of the total litigation. The proportions in Jabalpur and Nagpur (including Small Cause Court figures) are the lowest in the Provinces, being only 41·3 and 43 per cent respectively. The next lowest proportion is in Hoshangabad, (44 per cent) notwithstanding its high proportion of suits not exceeding Rs. 5. In Nimar the proportion rises to 57·6 per cent, which is only exceeded by the proportions in Sambalpur and Bilaspur.

Suits exceeding Rs. 100 in value.

26. Only 10 per cent of the total suits in the Provinces exceeded Rs 100 in value. The proportion of these suits was highest in the Hoshangabad district (16·3 per cent), the next districts being Jabalpur, Sagar, Narsinghpur, and Raipur, varying from 13 to 12 per cent. In Nimar the proportion was remarkably low, only 6·4 per cent.

Nature of claims.

27. The following abstract comparing the number and proportion of suits of the principal kinds during 1871 and 1872, is prepared from the Classification Statement.

Suits for	1871.		1872.	
	Number of suits.	Percentage of total suits.	Number of suits.	Percentage of total suits.
Money due on bond or other contract	64,915	85.	62,828	87·5
Recovery of personal property or value thereof ...	5,032	6·6	3,906	5·4
Damages ...	1,884	2·5	1,338	2·
Immoveable property ...	1,893	2·5	1,747	2·4
Rent, not falling under the rent law	931	1·2	980	1·4
Other claims ...	1,437	2·2	962	1·3
Total	76092	100	71,811	100

The changes in the proportions of the several classes of suits are chiefly nominal, due to some detailed instructions issued last year, the need of which, with reference to the distribution of suits under the several sub-heads of contract, was specially noted in para 32 of the report for 1871. The distribution of these latter suits in the returns for the two years is contrasted below :—

Sub-heads of suits for money due for breach of contract,	1871.		1872.	
	Number of suits under each sub-head.	Percentage of total suits for money due for breach ofcontract.	Number of suits under each sub-head	Percentage of total suits for money due for breach of contract
On written obligation [chiefly bond debts] ...	38,782	60	35,780	57·
On unwritten obligation [parole debts] ...	9,738	15	11,534	18·4
On account stated ...	4,101	6	1,783	2·8
For money paid or received ...	2,885	4	1,267	2·
For goods sold and delivered ...	6,352	10	9,703	15·4
For breaches of contract not included above ..	3,057	5	2,761	4·4
Total ..	64,915	100	62,828	100

The classification of suits as above for 1872 is believed on the whole to be more correct than in 1871. But the subject is found to be one of considerable practical difficulty, and in many cases it has been necessary to require revision of the statistics originally rendered. With a view of making the figures as correct as possible, this section of the report has been kept open for some time, and even now amended returns have not been received from Hoshangabad and Balaghat.

Varied classification in different Districts.

28. The statistics of each district for 1872, as now rendered for the main classes of suits, are given in the following Table :—

Districts (Small Cause Court figures being included).	Total suits instituted.	For money due. On written obligation. Number.	Percentage of column 2.	On unwritten obligation Number.	Percentage of column 2.	For goods sold and delivered. Number	Percentage of column 2.	For recovery of moveable property or value thereof. Number.	Percentage of column 2.	For damages. Number.	Percentage of column 2.	For immoveable property. Number.	Percentage of column 2
Nagpur ...	13,602	7.592	56·	2,066	15·[	1,975	15·	468	3·4	140	1·	373	2·7
Chanda ...	2,018	1,022	51·	196	10·	146	7·	388	19·2	49	1·7	28	1·3
Bhandara ...	2,926	1,336	46·	289	10·	158	5·	571	19·5	43	1·4	38	1·3
Wardha ...	5,317	2,841	53·	1,740	33·	222	4·	325	6.	34	·6	73	1·3
Balaghat ..	898	368	41·	146	16·	28	3·	244	27·2	27	3·	9	1·
Jabalpur ..	5,048	2,083	41·	729	14·	895	18·	76	1·5	167	3·3	239	4·7
Sagar ..	3,249	1,621	50·	420	13·	463	14·	100	3·	45	1·3	116	3·5
Damoh ...	1,316	731	56·	160	12·	91	8·	92	7·	46	3·5	77	5·8
Seoni ..	1,815	840	46·	310	17·	159	9·	115	6·3	42	2·3	25	1·3
Mandla ..	660	188	29·	151	23·	151	23·	4	·6	47	7·	2	·3
Hoshangabad ...	6,936	3,618	52·	1,096	16·	529	8·	266	3·3	83	1·2	122	1·7
Betul ...	3,179	1,531	48	506	16·	596	19·	78	2·4	69	2·	90	2·8
Narsinghpur ..	5.442	3,157	58·	650	12·	533	10·	84	1·5	104	2·	191	3·5
Nimar ..	9,594	4,906	51·	1,156	12·	2,564	27·	351	3·6	54	·5	157	1·6
Chhindwara ..	3,401	1,749	51·	501	15·	271	8·	358	10·5	63	1·8	64	1·8
Raipur ..	2,583	842	33·	399	15·	277	11·	299	11·6	112	4·3	79	3·
Sambalpur ..	1,038	417	40·	129	12.	138	13·	47	4·5	97	9·3	36	3·5
Bilaspur ...	2,519	838	33·	858	34·	434	17·	24	1·	158	6·2	28	1·
Upper Godavari	270	90	33·	32	12·	72	27·	16	6·	8	3·	...	..
Total ...	71,811	35,770	49·8	11,534	16.	9,702	13·5	3,906	5·4	1,388	1·9	1747	2·4

L m—10—47—360

It will be seen that about half the total litigation was for money due on written obligation [chiefly bond debts]. The proportions of these suits in Nagpur, Damoh and Narsinghpur considerably exceeded this average, and contrast remarkably with the comparatively small proportion, only 41 per cent, in the Jabalpur District. On the other hand, the proportion of these suits was only about a third or less in the rather out of the way districts of Mandla, Raipur, Bilaspur and Upper Godavari. In respect of these latter districts, and also of Jabalpur, Narsingpur and Damoh, similar results were noticed in the report for 1871, and as there is little room for mistake in classifying suits under this head, the above seem characteristic features in the litigation of these Districts.

The excessive proportion of suits on unwritten obligation [parole debt] shown against the Wardha District is not explained by any absence of claims on written obligation, and is probably due to incorrect inclusion under this head of suits for money due for goods sold and delivered, under which exceptionally few suits are returned. Similar excess under the same head in the Bilaspur and Mandla districts seems due partly to incorrect inclusion of suits returnable as for recovery of moveable property or value thereof, *vide* the comparative absence of such suits against both districts.

Under the heading "money due for goods sold and delivered" the small proportion of suits returned by several districts, especially Bhandara, Hoshangabad, and Narsinghpur, suggests that the mistake of not distinguishing suits of this class from suits on unwritten obligation has been rather general. Circular instructions have accordingly been issued on the subject.

The 3906 suits for recovery of personal property or the value thereof consist chiefly of suits for the recovery of grain debts. In most of these cases the grain is borrowed by the cultivating classes for seed or food on condition of repayment in kind at harvest time, with a certain proportion added by way of interest, and money value is only claimable in default of payment in grain. Contrasted with the very large proportion of these suits in the Chanda, Bhandara, and Balaghat districts, the small proportion in many other districts, and especially in Jabalpur, Mandla, Narsinghpur and Bilaspur, suggests that under this head too mistakes in classification have been common, and instructions to prevent their recurrence in future have therefore also been circulated.

Under "damages" the large proportion of suits returned by some districts is probably due to oversight of the rule adopted last year, that claims for damages on account of a breach of contract should be classed as suits for money due for breach of contract. General attention has accordingly been again drawn to this rule.

The Judicial Commissioner is not satisfied that the proportion of suits for immoveable property varies so greatly as the figures would indicate. The large proportion returned against the Jabalpur district has received lengthened consideration in the local reports, and the immoveable properties affected are shown to be of small value. But the remark by the Deputy Commissioner of Jabalpur, that the mortgage even of worthless tenements "necessarily brings the "subsequent suits under the heading of litigation 'for immoveable property," suggests that suits other than suits actually for possession of immoveable property have been wrongly included under this heading. Instructions to check any mistake of this kind also have been issued.

Suits in the Bhandara District for recovery of Pandhri.

29. Of suits not included under the above headings it seems only necessary to notice 290 suits, described in an explanatory report which was called for from the Deputy Commissioner Bhandara, as "instituted by the Zamindar of "Kamtha against his ryots for Pandhri and forest communication dues payable "by the ryots to the Zamindar, as the latter paid the amount on account of the "same to Government." Some of these cases have been inspected. The claims are chiefly for eight annas or one rupee in each suit. It is not clear from the records that the Zamindar had a cause of action. The Deputy Commissioner has been asked to report further on this head. But as the Chief Commissioner would probably not desire that Pandhri dues should, on any account, become, in such proportion, the subject of Civil suits, the matter has been brought specially to the Chief Commissioner's notice.

C.—THE GENERAL DISTRIBUTION AND RESULT OF TRIAL OF CIVIL SUITS BY THE COURTS OF ORIGINAL JURISDICTION.

Distribution.

30. The following table shows how suits instituted were distributed among the different classes of Courts in the several Districts.

Total number of Judges.	8	11*	38	23	19	100	* Including 2 whose Courts were closed in November.
Districts.	Small Cause Courts.	Naib Tahsildars.	Tahsildars.	Assistant Commissioners.	Deputy Commissioners.	Total.	Remarks.
Nagpur	7,736	*a* 2,504	1,905	1,527	15	13,687	*a.* 3 Courts.
Chanda	...	*b* 62	1,355	600	..	2,017	*b.* Court only open in January.
Bhandara	..	..	1,852	1,369	..	3,221	
Wardha	...	*c* 2,441	1,166	1,697	5	5,309	*c.* 2 Courts.
Balaghat	...	99	90	781	2	972	
Jabalpur	2,878	*d* 705	705	843	20	5,151	*d.* Court only open till 22nd November.
Sagar	674	237	1,100	1,293	4	3,308	
Dotnah	...	...	433	839	43	1,315	
Seoni	...	...	880	1,004	1	1,885	
Mandla	...	...	186	495	3	684	
Hoshangabad	...	...	3,802	3,232	12	7,046	
Betal	...	1,067	1,322	837	1	3,227	
Nimar	175	...	1,626	7,684	5	9,490	
Narsinghpur	...	*e* 1,414	1,423	2,420	8	5,265	*e.* Court only open till close of November.
Chhindwara	...	403	1,442	1,677	1	3,523	
Raipur	...	..	1,411	1,200	2	2,613	
Sambulpur	...	...	947	85	1	1,033	
Bilaspur	...	..	1270	1,243	14	2,527	
Upper Godavery	...	..	110	..	159	269	
Total 1872	11,463	8,932	23,025	28,826	296	72,542*	*Including suits reinstituted.
Total 1871	11,800	7,729	26,345	31,513	236	77,623	
Percentage 1872	15·8	12·4	31·7	39·7	·4	100	
Percentage 1871	15·	10·	34·	40·7	·3		

And the following table shows the proportions in which suits of the several grades of value were disposed of by the various classes of Judges.

Judges			Registrars of Courts of Small Causes.	Judges of Courts of Small Causes.	Naib Tahsildars.	Tahsildars.	Assistant Commissioners.	Deputy Commissioners.	Total.	Remarks.
Number of Judges.			2	6	11	38	23	19		
Salaries of Judges			Rupees 160 and rupees 250.	*Rupees 700 to rupees 1,128.	Rupees 50 to rupees 75.	Rupees 130 to rupees 200.	Rupees 500 to rupees 700.	From Rupees 1,000 to rupees 1,833.		
Grades of value of suits.		Total number of suits disposed of.	Percentage of suits disposed of before each class of Judge.							
Not exceeding	Rs. 5 ..	11,543	12·6	7·8	14·2	*32·5	32·5	·4		* Excluding the Judge Asirgurh Cantonment, who receives Rs. 200, Staff allowance.
Do.	,, 20	25,186	14·2	4·3	16· ‡	29·9	35·3	·3		
Do,	,, 100...	26,635	..	13 4	11·	34· §	41·4	·2		‡ Not exceeding Rs 50
Do	,, 500...	6,197	.	11·4 †	..	32 3	55·8	·5		§ Do. Rs. 300.
Do.	,, 1,000...	512	..	6·6	..	..	92·4 *	·1		† In Nagpur Small Cause Court
Exceeding	,, 1,000...	361		...	...		83·1	16·9		* Not exceeding Rs 5,000.
All grades ...	1872..	70,434	6 8	9·	12·4	31·7	39 7	·4		* Excluding reinstitutions.
	1871 .	* 75,647	6·4	8 9	9·9	33·8	40·7	·3		

It will be seen that the general distribution of business in 1872 differed somewhat from that of 1871. Although the number of Naib Tahsildars exercising civil powers has not increased, the proportion of the business done by them has risen from one tenth to one eigh h, and Tahsildars have been proportionally relieved. While however the general proportion of the business done jointly by Tahsildars and Naib Tahsildars remains almost the same (44 per cent) as in 1871, there has been a small decrease in the proportion of business before Courts of the Assistant Commissioner, the difference being made up by the Courts of Small Causes. There has, however, been no actual transfer of business from Courts of the Assistant Commissioner to Small Cause Courts, and the explanation is that while the actual business before Courts of Small Causes remained much the same in both years, its proportion to the total litigation increased in 1872 by reason of a decrease in the business before other Courts, and this decrease as shown in para 20 above was greatest in Courts of the Assistant Commissioner.

Share of work done by Naib Tahsildars.

31. The increase in the proportion of suits heard by Naib Tahsildars has occurred notwithstanding the general principle that Naib Tahsildars be invested with Judicial powers only when the Civil business is too great to be otherwise disposed of. The Commissioner of the Jabalpur Division remarks in regard to the large amount of business performed by the Naib Tahsildar of Sehora as follows:—

(*Para*, 2. (2) * * " During the first four months of the year the juris-
" diction of this Court was up to Rs. 50, but it was found that most of the cases
" coming before the Court fell within this limit, and the Naib Tahsildar was there-
" fore directed to try cases up to Rs. 25 only. Subsequenly this jurisdiction was

"extended to Rs. 40, as a new Tehsildar had been appointed to Sihora who was "not up to much judicial work. The case was duly reported to the Judicial "Commissioner. Finally on the transfer of the Naib Tahsildar, his successor only "received powers up to Rs. 25."

And again,

Para. 18.— * * "Too large a share of the civil work was disposed of by the Naib Tehsildar of Sihora in the Jabalpur District, who decided 30·5 per cent. of the civil cases of the district in addition to disposing of 18·8 per cent. of execution of decree cases. The evil of entrusting so large a share of judicial power to a subordinate official has been recognized and was at first met, as has been shown above, by reducing the money value of the Naib Tehsildar's jurisdiction. Eventually it was found necessary to remove him altogether, and probably the excess of petty litigation hitherto observable at Sihora will now shrink to more moderate proportions."

But the claims of the executive for the services of Tehsildars are so many and pressing that the desire for an extended use of Naib Tehsildars as Judicial agency is becoming very strong. Thus the Commissioner of the Narbada Division writes :—

Para. 13.—"In regard to the work performed by Naib Tehsildars in districts where these Judges were employed, I would like to see more general use made of these officers as Judicial Courts, especially if their pay could be a little improved. I rather think that the best way of coping with increase in small suits would be to slightly raise the status of these officers, and get more Judicial work done by them."

And the Commissioner of the Nagpur Division observes—

Para. 8.—"Wherever Naib Tehsildars have been at work concurrently with Tehsildars, there has been a great tendency to shift work on to their shoulders. I am not inclined to view this result with disapproval. A Naib Tehsildar who is invested with power to decide suits up to Rs. 50, must be presumed to be qualified for Judicial work of this petty character, and I believe that judicial regularity and executive efficiency will be better secured by keeping the Naib Tehsildar stationary, and giving him all the cases he can get through, than by dividing the civil work of the Tehsil equally between the Tehsildar and the Naib, and attempting to extract good judicial and executive work from both. Economy of labour is certainly secured when the Naib undertakes all cases within his competency and thus sets the Tehsildar free for more general duties. I have never heard any preference expressed for Tehsildars' Courts over Naibs,' and as the Tehsildar's knowledge of all that goes on in his Naib's Court must, by the very nature of the case, be almost prefect, I think it may be assumed that in point of trustworthiness, the Naib is not appreciably inferior to the Tehsildar under whom he serves."

Para. 9.—"While thus attempting to defend the tendency which the statistics of the year exhibit for work at Tehsils to fall more and more on Naibs, I would endeavour to make a Judicial Naib Tehsildarship a post of ambition to the best among the young men in our offices, by recognizing it as a certain step to a Tehsildarship. I believe that this is very generally done already, but I should like to see it even better understood than at present, that a Judicial Naib Tehsildarship is the first ring in the ladder which leads from the ministerial to the higher grades of the public service."

On this the Judicial Commissioner remarks that vacancies in our small staff of Tehsildars so seldom occur, that the prospect of promotion even to the few Naib Tehsildars (11) at present employed as Civil Judges can be but small, and that if an improved status for Judicial Naib Tehsildars be a desideratum (and the Judicial Commissioner thinks it is a desideratum) then it must be brought about by something more than a preferential claim to a Tehsildarship, and the Judicial Commissioner regrets that the Chief Commissioner was obliged last year to intimate his inability to hold out any hope of being able to improve the present position of all Naib Tehsildars employed in judicial duty.

B. E. Z.—12—70—300

General results.

32. The results of the trial of the 72,542 suits disposed of were—

	Number of Suits.	Proportion per cent.	Corresponding proportion per cent. in 1871.
Plaints rejected or returned	390	·6	·4
Transferred to other Districts or Small Cause Court Jurisdiction	38		
Disposed of without contest.			
Decreed on confession	18,365	25·3	27·3
Dismissed for default	13,287	18·3	15·7
Compromised .. .	11,652	16·1	15 5
Decreed *exparte* ...	10,668	14·7	16·
Withdrawn with leave	943	1·3	1·4
Dismissed *exparte*	242	·3	·6
Total uncontested ...	55,157	76·	76·5
Contested and Judgment given for			
Plaintiff in whole	6,883	9·5	9·7
Do. in part ...	5,495	7·6	6·7
Defendant in whole	4,579	6·3	6·7
Total contested ...	16,957	23·4	23·1

General view of the results.

33. On the whole the proportions of suits contested and uncontested were very much the same as in 1871. A large increase however is observable in the proportion of suits "dismissed for default" and a corresponding decrease in the proportion in which the Courts decreed on confession and *exparte*.

The Commissioner of the Nagpur Division remarks as follows on similar results in that Division.

Para. 36.—"The general result is * * satisfactory, as showing that, notwithstanding the very great attention which has undoubtedly been paid to the observations recorded by the Judicial Commissioner in last year's review, the results of the present year do not differ much from those of 1871, and that, as far as this Division is concerned, there is no reason to believe that previous Court practice was to any marked degree unsound."

Para. 37.—"It is true that cases in which decrees have passed (exparte cases and confessions) have diminished, while cases in which no decree has passed (compromise and default cases) have increased, and that this result must be regarded from one point of view as unfavourable,—but I am inclined to think that the action of the Courts in the matter of award of instalments and costs has caused the change; that Plaintiffs have been afraid of the Courts and disposed to come to terms, and that the terms come to have probably been unusually favorable to defendants."*

No doubt there may have been some apprehension on this head, especially in the Chanda District where the Deputy Commissioner instructed the Courts in an unauthorized manner on the subject. The matter will be reverted to in place further on.

34. The decrease in suits decreed on confession (nett from 21,202 or 27·3 per cent to 18,365 or 25·3 per cent) has been very general. The only important increases were in the Kamthi Cantonment Court of Small Causes, where 1,211 suits or 44·5 per cent of the year's total were decreed on confession, as compared with 37 per cent in 1871, and in the Narsinghpur District Courts, where 1,280 suits or 24·3 per cent were so disposed of, as compared with 21 per cent in 1871. The proportion of these suits is lowest in the Jabalpur City Court of Small Causes (13·4 per cent). Also in the Nagpur City Court of Small Causes, and in the Hoshangabad and Jabalpur Districts, the proportion was low, about 18 per cent. The proportion was highest in the Kamthi Cantonment Court above noted and was very high also in the following instances.

Suits decreed on confession.

Districts.	Number of suits in 1872 decreed on confession.	Percentage of total suits
Chanda ..	709	35
Bhandara ..	1,047	32
Damoh ...	416	32
Sambalpur ...	406	39
Bilaspur ..	796	31

Commissioners of Division have been asked to enquire and to endeavour to ascertain whether the above exceptionally high proportions of suits decreed on confession were due to anything defective either in Court practice or method of registration. It is, however, observable that even in these Districts the proportion greatly decreased during 1872. A large decrease also in the proportion of suits decreed on confession (from 28 to 21 per cent) occurred in the Sagar District.

The following extract from the report of the Commissioner of the Chhattisgarh Division suggests a possible deficiency in Court practice in confession cases, to which the attention of the Courts has now been drawn by Circular.

Para. 32.—" With regard to confessions there is one point which I think has not been noticed, but which is of some importance, and that is the necessity of identifying the person who confesses with the defendant. My attention was first drawn to the point by Mr. Egerton, now nine years ago, and I subsequently made it a rule to have evidence as to identity recorded in all cases of confession in which the defendant was not personally known to the Court, or to some person present in Court. The practice caused little difficulty or delay and formed a safe guard not only against fraudulent personation, but against personation from motives not wrong in themselves."

35. The number of suits dismissed for default, 13,287, or 18·3 per cent of the total disposed of, is high. In most of these suits plaintiffs' default is due only to defendants having adjusted the claim out of Court. The nature of the adjustments in such cases is not known. If they consisted generally in payment of the debt their large number would be matter of congratulation. But it is very generally believed that in most of these cases the debts are only renewed, often on hard and even inequitable terms, and that many dismissals for default only lead to more litigation hereafter. The Courts, however, have no direct means of checking this, and abatement of any inequitable element in such adjustments can only be looked for in defendants' learning from experience that they can secure equitable terms by attending Court.

Suits dismissed for default.

The increase from 15·7 in 1871 to 18·3 per cent in 1872 in the proportion of suits dismissed for default seems due chiefly to the increased number of Civil Court holidays in 1872. Delays in the disposal of suits caused by holidays would naturally induce an increase of private adjustments.

The Mandla, Betul, Nimar and Sagar Districts and the Kamthi Cantonment Court of Small Causes are the only instances of decrease in the proportion of suits dismissed for default. The decrease in the Mandla, Betul and Nimar districts was large, but the proportion in these districts in 1871 had been high.

The lowest proportion of dismissals for default occurred in the Jabalpur, Sagar and Kamthi Cantonment Courts of Small Causes (5, 7 and 9 per cent respectively), and in the Chanda and Sambalpur districts (from 12 to 13 per cent). The highest proportion of such dismissals occurred in the Asirgarh Cantonment Small Cause Court (38 per cent), the Hoshangabad district (28·6 per cent), the Jabalpur City Small Cause Court (25·5 per cent), and the Chhindwara District (23·4 per cent).

On a general view, the smaller proportion of dismissals for default occur in the wilder districts, where the people are less ready to assert their right of absenting themselves from the Court after placing the matter in the hands of the Judge.

Suits compromised.

36. The 11,652 suits (16·1 per cent of the total disposed of) returned as compromised include cases in which decrees were issued in accordance with terms agreed upon by the parties, and cases in which private adjustment was merely intimated to the Court and no decree taken out.

Total suits heard *exparte*.

37. The decrease in *exparte* suits from 12,844 or 16·5 per cent of the total litigation in 1871 to 10,910 or 15 per cent of the litigation in 1872 is satisfactory. The general proportion of these suits is moreover swelled by the following exceptionally high proportions.

	Total suits disposed of.	Number decided ex-parte.	Percentage decided ex-parte.
Nimar	9,315	2,460	26·4
Nagpur Small Cause Court ...	5,020	1,119	22·2
Hoshangabad	7,046	1,334	19·
Narsinghpur	5,265	972	18·4

The average proportion of *exparte* suits for the rest of the Provinces was only 11 per cent. The attention of the Commissioner Narbada Division has been drawn to the exceptionally high proportions in the three chief districts of that division.

Suits dismissed *exparte*.

38. Of the 10,910 suits heard *exparte* 242 or 2·2 per cent were dismissed. Of the remaining 61,632 suits in which defendant appeared, judgment was given for defendant in full, *i. e.*, claim was dismissed in 4,579 or 7·4 per cent. Comparing the results in the above two divisions of suits the proportion dismissed *exparte* seems a fair result. According to the statistics however as originally rendered, defendants frequently appeared more successful in suits which they did not defend than in suits which they did defend. This anomaly necessitated reference to the records, and the corrected Provincial result is given above. It was found that suits dismissed on plaintiffs' default (Sections 110, 114, Act VIII. of 1859, and Section 5, Act XXIII. of 1861) had frequently been included as dismissed *exparte*. Still, even according to the corrected statistics, the proportion of suits heard *exparte*, in which the claim was dismissed, seems occasionally high, *e. g.* in the Chanda Dis-

trict so many as 15 out of 143 suits heard *exparte* were dismissed. The examination of the records in *exparte* suits, necessitated as above, has brought to light that in some cases in which the defendants failed to appear and the plaintiff was not prepared to produce his evidence at once, the suit has been dismissed *exparte* without due consideration as to whether there was sufficient cause for such failure on plaintiff's part. Obviously frequent dismissals *exparte* without such consideration would only induce a recurrence of that needless general summoning of plaintiffs' witnesses for the first hearing, which it has been the object of the administration to check. Again it has been found that other cases have been nominally dismissed *exparte* simply because defendant could not be found, whereas in most such cases either service of summons might have been effected according to some of the substituted methods allowed by law, or the plaintiffs might have been permitted to withdraw from the suit with liberty to bring a fresh suit afterwards for the same matter. The Courts have been addressed by Circular on both points.

Contested suits.

39. Although the general proportion of suits contested (16,957 or 23·4 per cent of the total suits) was much the same as in 1871, the proportion increased largely in certain Districts and Small Cause Courts, thus :—

Small Cause Court or District.	Percentage of suits contested in 1871.	Total suits disposed of in 1872.	Total suits contested in 1872.	Percentage of suits contested in 1872.
Chanda District	22	2,017	574	28·4
Jabalpur Cantonment Small Cause Court	29	508	195	38·
Sagar District	21·4	2,634	848	32
Raipur District	24	2,613	789	30
Upper Godavery	24	269	88	33·

In the following instances the proportion of contested suits was high both in 1871 and in 1872.

Small Cause Court or District.	Percentage of suits contested in 1871.	Total suits disposed of in 1872.	Total suits contested in 1872.	Percentage of suits contested in 1872.
Jabalpur District...	36·	2,273	818	36·
Jabalpur City Small Cause Court ..	38·	2,370	955	40·
Narsinghpur District	28·	5,265	1,476	28·
Sambalpur District	34·	1,033	313	32·

Except in the Asirgarh Cantonment Small Cause Court, the proportion of contested suits no where decreased largely. But the proportion of contested suits continues to be very low in the following Districts:—

District.	Percentage of suits contested in 1871.	Total suits disposed of in 1872.	Total suits contested in 1872.	Percentage of suits contested in 1872.
Bhandara	17	3,221	620	19·
Damoh	20·5	1,315	245	18·6
Hoshangabad	22	7,046	1,345	19·
Nimar	19	9,315	1,614	17·

B. E. L.—13—80—300

The attention of Commissioners has been especially drawn to the proportions in these latter Districts.

Results in suits contested

40. Of the 16,957 suits contested, judgment was given,—

for plaintiff in full, in 6,883 suits or 40·6 per cent, as compared with nearly 42· per cent in 1871,

for plaintiff in part, in 5,495 suits or 32·4 per cent, as compared with 29 per cent in 1871,

defendant in full, in 4,579 suits or 27 per cent, as compared with 29 per cent in 1871.

Plaintiffs and Defendants have alike been less entirely successful in 1872 than in 1871.

Arbitration.

41. Five hundred and thirty three suits were referred to arbitration. Looking to the simplicity of the bulk of the litigation, and to the finality of arbitration awards, the number seems as large as can be expected. The Commissioners of the Nagpur and Chhattisgarh Divisions allude to a tendency to employ Commissioners, appointed under Sections 180, 181 of the Civil Procedure Code, to make investigations, which might be more efficiently and expeditiously effected by the Courts themselves, and to rely over much on the reports of Commissioners as decisive in respect of the matters referred to in them, instead of as mere evidence capable of being questioned and rebutted, and requiring to be adjudicated upon by the Courts themselves. Instructions to check such tendencies have been issued.

Decrees for payment by instalments.

42. The reports contain some remarks on the subject of decreeing payment of debts by instalments under Section 194 Act VIII. of 1859. Adverting to former infrequency of such decrees, the Courts were instructed last year that "if, in view of "the origin and nature of a debt, and on a right understanding of the conditions "of re-payment, whether expressed or implied, it should seem that recovery "by instalments is all that a plaintiff has a right to look for, or if any other "sufficient reason be apparent, then an order to that effect should, in justice to "defendants, not be overlooked in the decree; but that on the other hand, in "justice to plaintiffs, such orders should not be arbitrarily given" And the reports show that decrees for payment by instalments are now more frequent. In some Courts decrees in this form have been even too often passed, and it has been necessary to steady the Courts on the subject. Aberrations from the right course in this matter have been most frequent in the Nagpur Division, and especially in the Chanda District, where the Deputy Commissioner issued to the Courts improper instructions "directing that when passing a decree for debt, the Courts "should, as a rule, direct that the amount be paid by instalments, and before "fixing the amount of such instalments, the Courts should ascertain that the "instalments are such as the debtor can reasonably be expected to meet; and "that when, for any special reason, the Court did not direct the liquidation by "instalments, an explanation should be recorded as to why instalments had not "been ordered." These instructions were only discovered when the reports and statements came under the Judicial Commissioner's consideration. Their withdrawal was then immediately ordered. They should, however, have been withdrawn on receipt of the instructions which, as above stated, were issued by the Judicial Commissioner.

Award of costs.

43. Another point to which attention of the Courts was drawn during the year was the necessity for more discriminate award of costs. It was pointed out that "in some places money "lenders habitually make use of the machinary of the Civil Courts to collect

" debts which they have never troubled themselves to ask the debtors to pay. " By instituting several suits at a time and arranging for simultaneous hearings, " they find in the Courts a very convenient and, when costs are given against " defendants, an inexpensive machinery at their disposal for conducting that part " of their ordinary business which consists in collecting their own outstanding " dues. In such cases plaintiffs should ordinarily bear costs. The point is espe- " cially liable to be overlooked in cases adjudicated on confession or compromise. " If a debtor breaks the conditions of his contract to pay, and, on payment being " duly demanded, wrongly refuses or neglects to pay, then doubtless he may be " liable for costs in a suit brought to compel payment. But debtors may be " entitled to that consideration which consists in their creditors using all custo- " mary means of inducing payment before bringing them into Court, such as " giving them notice when payment is overdue and warning them before institu- " ting a suit and the like ; and if creditors resort at once to Court without show- " ing their debtor this ordinary consideration, then the defendants in the suits " may reasonably expect that decree be passed against them for the amount of " their debts only, and that the plaintiffs shall, by being cast in costs of the suit, " be made themselves to pay the price of an expensive convenience, the use of " which the defendants had not dishonestly or contumaciously necessitated."

The reports indicate that during the latter months of the year costs were not so invariably thrown on defendants as before. But here again in the Chanda District the tendency to the opposite extreme has shown itself. To this the special attention of the Commissioner of the Division has been drawn. In other districts the extent to which the Courts have made plaintiffs bear their own costs is not fully known. The Commissioner of the Jabalpur Division shows that it has differed in the several districts of his Division This was at first to be expected. Doubtless some Courts still too invariably throw costs on defendants, while other Courts may have erred in the opposite direction. But it may be expected that, due supervision being maintained, the Courts generally will in this, as in other matters, learn to exercise a proper judgment The Judicial Commissioner has again addressed the Courts by Circular on the point.

Interest.

44. The Chanda and Upper Godavari District reports contains some strong remarks on the subject of decrees for debts, of which a considerable proportion may be made up of interest. These remarks contain much that cannot, on approved principles, be affirmed. But some instructions have been issued on the subject which it is hoped will tend further to ensure due care in estimating the interest actually agreed upon between parties to suits, and the rejection of improper parts of interest-claims, where these can be rightly discriminated.

Suits pending.

45. The number of pending cases has increased from 2,197 to 3,625. Of these, 2,881 were instituted in December. As the total number of suits instituted in December was 4,730, and there were only 13 Court days in the month, the pending suits are only the institutions of about 8 Court days, and the number therefore probably will not be considered too high, even although it is half as large again as the number (1 943) in 1871.

Of the remaining pending suits, 657 were instituted in November, and only 87 were pending over two months, *viz.* 65 from October, 13 from September, and 9 beyond 4 months. More than half of the pending suits instituted in November appertained to the Nimar and Narsinghpur Districts, (179 and 163 respectively.) In the reports for these Districts it seems to be admited that the number of these suits might have been smaller. In Nimar, however, business was very heavy.

Four of the suits pending over 4 months appertained to the exceptionally circumstanced Upper Godavari District.

46. The average duration of contested suits has increased from 18·6 to 28 days, and of uncontested suits from 13 to 17·5 days.

Durations.

The average durations of contested and uncontested suits in the Small Cause Courts, increased from 10·4 and 9·7 days to 12·9 and 10·4 days respectively.

In the Jabalpur City Small Court the average durations increased from 10·6 days in all cases alike, to 16·6 days in contested cases, and 15·6 days in uncontested cases. The Judge of the Nagpur Small Cause Court accounts as follows for an almost equal increase in durations before himself.

(*Para 2.*) * * * "The duration of suits has increased. This is chiefly owing to the increased number of close days, which consequently brought increased work and less time on open days. In the Judge's court the increase is considerable, having risen from 11·2 to 16·3 in contested cases, and requires some explanation. I would assign the chief cause of this increase partly to several contested cases having been kept pending during the month of May, and also to several suits, based on breaches of contract, requiring lengthened adjournments in order to receive the depositions of witnesses and others, residing not only in different parts of these Provinces, but likewise in the Berars and the Bombay Presidency".

The Districts in which the average durations were lowest were:—

Districts.	Contested suits.	Uncontested suits.
Mandla	15·3 days	11·5 days
Bilaspur	19·4 „	13·4 „
Raipur	20· „	16· „
Sagar	22· „	16·3 „

In Betul and Damoh also, the average durations were considerably below the Provincial averages.

The durations were highest in the following Districts, and here the figures of 1871 are noted for comparison.

Districts.	Contested suits.		Uncontested suits.	
	1871	1872.	1871	1872.
Balaghat	21·4	30·4	14·	19·
Nagpur	17·6	32·	13·	17·
Chhindwara	21·4	34·	11·	22·
Nimar	28·	34·	23·	24·6
Hoshangabad	17·	36·	11·4	24·
Bhandara	32·	39·	17·5	24·
Upper Godavari	14·	52·	17·4	27·5

Excessive durations occurred in the Nagpur and Narbada Divisions, and in the cases of Hoshangabad, Chhindwara, Nagpur, Balaghat and Upper Godavery, the contrasts between the durations in 1871 and 1872 is very striking. The Commissioner of the Nagpur Division thus reviews the results for that Division.

Para 40. "The duration of suits both contested and uncontested has increased everywhere Bhandara still shows much the highests average of any districts in the Division."

(*Para 41*) " The causes of the increased durations are stated to be:—

" (*1.*) the May vacation and increased number of holidays,

" (*2.*) delays by arbitrators, commissioners, and in summoning persons from other Districts,

" (*3.*) those occasioned by transfers of officers,

" (*4.*) enquiries made regarding service of summonses in *exparte* cases, and

" (*5.*) discontinuance of practice of summoning Plaintiffs' witnesses, as a matter of course, for first hearing.

" Even with all these causes at work, the averages of all the districts except Chanda appear excessive."

The Deputy Commissioner of Hoshangabad writes:—

(*Para 16.*) In every court the duration shows badly. This is simply due to the changes of officers, and the vacation. Mr. Tulsingh in the Station Court, shows the worst of all. But, considering the suits that came before him, this might be expected. As a rule he has been early and late in attendance at office, and in November and December, he had all my current duties thrown upon him in addition to his own, as well as the work of the Treasury and Local Funds; in other words, simply a great deal more work than any one officer could, by any possibility, get through. That this was quite unavoidable you are well aware. On the subject of the general long duration, I find out of 7,046 disposals, 36 cases were rejected and excluded, leaving 7,010 cases disposed of, contested and uncontested, in 1,62,717 days, giving a general average duration for all suits of 23·2 days. On the 1st May, there were 419 cases pending, all put off for one month, or a loss of 12,989 days. The balance 1,49,728 days, divided by 7,010 suits gives a general average of 21·3 days. This is not nearly so good as my return last year. But the effect of the vacation was by no means only a loss of so many days, to say nothing of the duration being necessarily much affected by the changes of officers already alluded to. The courts were closed during the one working month *par excellence* of the year, with a heavy pending file caused by a very bad season. On reopening, as the monthly returns shewed, the courts were swamped with institutions, and the first hearings even could not be fixed without great delay before they were called on. On the whole, I do not consider the duration can be held excessive."

An examination of the Statement, however, shows that the average duration was not 23·2 days, but 26·3 days, of which 1·8 days arise out of the 31 closed days of the May vacation, during which time 419 suits were pending, and the Judicial Commissioner does not doubt that, notwithstanding the changes of officers, and the additional holidays of the year, there were other causes of increased duration, some of which, as the Commissioner of the Division also supposes, were preventible.

The Deputy Commissioners of Chhindwara and Nimar admit that the durations were avoidably high, and in these Districts it may be expected that lost ground will be regained.

Hearings.

47. No increase in the average number of hearings corresponding with the increase in average duration is shown. But considering the large proportion of suits which are uncontested, the average hearings in the following Districts appear too high, *viz*:— Sambalpur 2·8, Jabalpur 2·2, Wardha and Chhindwara each 2·1, and Chanda, Balaghat, Sagar, Damoh, Seoni, Nimar, and Raipur each 2 hearings.

D. The Appellate Business.

Appeals to Commissioners and Deputy Commissioners.

48. 2323 appeals from decrees or orders of the original Courts were instituted during 1872, as compared with 2533 in 1871, being a decrease of 210 regular appeals or 9 per cent. The distribution of these appeals among Commissioners and Deputy Commissioners is shown in the following table :—

	1871.	1872.
Courts of the Commissioner	1,233	1,174
Do. Deputy Commissioner	1,300	1,149
Total ...	2,533	2,323

Decrease then occurred in both classes of Courts, but least decrease occurred in the Courts of the Commissioner.

Variations in classes of appeals to Commissioners and Deputy Commissioners.

49. The following are the detailed totals of the two years under each class of appeal.

	Courts of Deputy Commissioner.		Courts of Commissioner	
	1871.	1872.	1871.	1872.
A.—Appeals from decrees of Civil Courts ...	1,149	1,081	870	855
B.— " orders " ...	151	68	164	205
C.—Appeals to Civil Courts under the Rent Law	...	...	140	173
Total ...	1,300	1,149	1,174	1,233

It will be seen that there has been proportionately little decrease in appeals from decrees of Civil Courts (class A), and that the decrease in appeals of this class (from 2,019 in 1871 to 1,936 in 1872) has been in less proportion than the decrease in original litigation. The main decrease of the year in appeals, was in appeals from *orders* of Civil Courts (class B).

Changes in proportions of appeals to different Courts.

50. The distribution, between Courts of the Commissioner and Deputy Commissioner, of appeals from decrees depends not so much on the value of the original litigation, as on the proportion in which suits are distributed between Courts in appellate subordination respectively to the Commissioner or Deputy Commissioner. In considering increases or decreases of appellate business in these Courts, it is necessary, therefore, to know the proportion in which the original

cases likely to be appealed were so distributed, and the following table has accordingly been prepared.

Divisions	Courts of the Deputy Commissioner.						Courts of the Commissioner.					
	Number of contested cases in Courts in appellate subordination thereto		Number of Appeals.		Percentage of Appeal.		Number of contested cases in Courts in appellate subordination thereto.		Number of Appeals.		Percentage of Appeal.	
	1871.	1872.	1871.	1872.	1871.	1872.	1871.	1872.	1871.	1872.	1871.	1872.
Nagpur ..	3,235	3,016	397	382	12·3	12·	1,026	893	212	103	20·6	11·5
Jubalpur ..	1,475	1,217	215	215	14·6	17·6	1,017	1,265	186	260	18·2	20·5
Narbada ...	2,722	3,272	404	406	14·8	12·4	3,563	2,572	383	400	10·7	15·5
Chhattisgarh ...	1,122	869	133	78	11·8	8·7	509	758	74	107	14·5	14·1
Total ...	8,554	8,374	1,149	1,081	13·4	12·9	6,115	5,488	855	870	14·	15·8

The principal changes brought out by this table are :—

(1). The decrease from 212 to 103 in the number of appeals to the Commissioner of the Nagpur Division, consequent chiefly on a decrease in the percentage of appeals to that Court from cases appealable thereto.

(2). The increase from 186 to 260 in appeals to the Commissioner, Jabalpur Division, induced partly by an increase in the proportion of appeals, but more by an increase in the proportion of original business done by Courts in appellate subordination to the Commissioner.

(3). In the case of the Commissioner, Narbada Division, the increase in proportion of appeals from the low percentage of 1871 (10·7) to an average percentage (15·5) in 1872, accompanied however by no like increase in the number of appeals, because a less proportion of the original business was disposed of in Courts in appellate subordination to the Commissioner.

(4). In the Chhattisgarh Division the decrease in appeals to Deputy Commissioners, due largely to a decrease in the proportion of appeals to those Courts, but more to transfer of the original business to Courts in appellate subordination to the Commissioner, which explains the increase in appeals to the Commissioner.

It will further be seen on a general view that, save in the Court of the Commissioner, Nagpur Division, appeals to Commissioners increased both in actual number and in proportion to the original cases appealable to those Courts, while appeals to Courts of the Deputy Commissioner decreased in both respects; also that the proportion of appeals to appealable cases (both to Courts of the Commissioner and Deputy Commissioner) was highest in the Jabalpur Division, and that the number of appeals to the Commissioner of the Narbada Division continued nearly to equal the number of appeals to the other three Commissioners taken together.

The reason for the remarkable decrease in appeals to the Commissioner of the Nagpur Division is not apparent. As Nagpur however is exceptionally well supplied with pleaders, the decrease seems to militate against the popular idea that pleaders foment persistent litigation.

51. In the Court of the Judicial Commissioner, 202 special appeals were filed as compared with 245 in 18.1. So here again at Nagpur there has been a decrease in Appellate business, more than proportionate to the decrease in the business out of which appeals arise. Of the 202 special appeals filed, 107 were rejected under Section 25, Act XXIII. of 1861, as compared with 73 appeals similarly rejected in 1871.

Appeals to the Judicial Commissioner.

General result of appeal to Commissioners and Deputy Commissioners.

52. The following figures show how the 2,286 appeals disposed of in Courts of the Commissioner and Deputy Commissioner, otherwise than by transfer, were disposed of :—

		Number.	Percentage.	Corresponding percentage in 1871.
Dismissed for default	...	225	10·	9·
Remanded for re-trial	...	260	11 4	11·4
Decree of Lower Court modified	..	176	7·6	6 6
Do· Do.	reversed	152	20·	18·
Do. Do.	confirmed	1,173	51·	55·

It will be seen that the general proportion in which decrees or orders of the Lower Courts were confirmed, decreased from 55 to 51 per cent, the difference being made up by an increase of one per cent in dismissals for default, one per cent in decrees modified, and two per cent in decrees reversed.

53. Turning now to the details in Local Statement No. IV., it appears that in the Court of the Commissioner, Narbada Division, the proportion of appeals dismissed for default (79 out of 526, or 15 per cent), though less than the proportion (18 per cent) in 1871, still continued exceptionally high. In the Court of the Commissioner, Jabalpur Division too, the proportion was nearly as high, 45 out of 319 appeals, or 14 per cent. These large proportions of dismissals for default seem incidental for various reasons to the greater burden of business in these Courts. The only other Courts in which the average proportion dismissed for default was much exceeded, were the Courts of the Deputy Commissioner, Hoshangabad (14 out of 82 appeals, or 17 per cent), and the Deputy Commissioner, Seoni, (6 out of 25 appeals.)

Proportion of appeals dismissed for default.

54. Of the total regular appeals (2,288), 219 or nearly 10 per cent were heard *exparte, i. e.*, in the absence of respondents. The result of the greater local area of the jurisdiction of Courts of the Commissioner is exemplified by the much larger proportion of appeals heard *exparte* in Courts of the Commissioner (15 per cent), than in Courts of the Deputy Commissioner (5 per cent).

Proportion of appeals heard *exparte*.

55. In the 2,061 regular appeals decided after hearing, the judgments of the Lower Courts were confirmed in 1,173, or 57 per cent, the proportion in Courts of the Commissioner being 59 per cent, and in Courts of the Deputy Commissioner 55.

Results in appeals respectively heard *exparte* and contested.

In appeals heard *exparte* the proportion, in Courts of the Commissioner and Deputy Commissioner alike, in which the judgments of the Lower Courts were confirmed (63·5 per cent) exceeded the corresponding proportion (56 per cent) in appeals contested. The difference thus shown in the tenability of appeals in cases in which respondents stayed away and in cases in which they appeared is not, however, large.

56. From the Table in para. 50 above, it appears that the proportion of contested suits appealed continues to be about one-seventh. In two-fifths of the appeals the Appellate Courts recognized the propriety of the appeal by disturbing the order of the Lower Court.

Results compared with the proportion of appeal.

57. Of the total number of special appeals (116) from the decrees or orders of the Lower Appellate Courts, disposed of in the Court of the Judicial Commissioner,—

Results of appeal to the Judicial Commissioner.

4 were dismissed for default,

41 were remanded for re-trial,

in 20 the judgment of the Lower Court was reversed,

in 6 do. modified,

and in 45 do. confirmed.

In these cases then the proportion in which the orders of the Lower Courts were disturbed was about three-fifths.

58. The total number of appeals pending at the close of the year (335) is much the same as at the close of 1871, but the number pending over two months has increased from 83 to 114. The pending file of the Commissioner, Narbada Division, continues to form the largest item, and at the close of 1872 consisted of 149 appeals, of which 89 had been pending over two months. The Commissioner explains—

Pending files.

(*Para.* 19). * * * "The magnitude of the pending file is the result of my having been absent from head quarters, or otherwise prevented from taking up Judicial work, for nearly the whole of November and up to the 17th December, being engaged partly in Session work, and partly in holding the examination of Assistants, and partly in duties of an executive nature."

59. The average duration of appeals of all kinds before all Courts was 43·2 days, as compared with 44·7 days in 1871.

Durations.

The average duration of appeals in Courts of the Deputy Commissioner has increased from 17 to 20·5 days. This average was greatly exceeded only in the Balaghat, Seoni, Sambalpur and Bilaspur Districts. In the case of Balaghat, the Deputy Commissioner's explanation,—chiefly that he was in camp for eight months out of the twelve,—seems to have been accepted by the Commissioner. But in the other cases the explanations offered have been deemed unsatisfactory. [Jabalpur Division report, end of para 22, and Chhattisgarh Division report, para. 47].

The average duration of appeals in Courts of the Commissioner was 64 days, as compared with 81 days in 1871. The decrease is due chiefly to the absence of the special arrears which previously caused excessive durations in the Jabalpur Division. During 1872 the average duration in the Jabalpur Division was lower than in other Commissioner's Court, being only about 40 days. The decrease in average duration in Commissioners' Courts would have been greater,

but for the exceptional durations in the Court of the Commissioner, Narbada Division. The Commissioner explains,—

(Para 19.) * * * "The average duration of cases has risen from 44·9 to 88·7. The causes of the increase are, first, the intermission of civil work in February and March during my absence in Nimar, the May vacation, the increase in other Civil holidays, the partial interruption of Civil work towards the end of the year, and the accumulation of cases on the cause list on the days available for Civil work. It will be seen from the table in the margin* that there were only 122 working days in the year; for many weeks together an average of six cases per diem stood for hearing, and when for any cause a case could not be gone through in the day, it had to be postponed to a distant period.

Months.	Sundays and Civil Court Holidays.	Days of absence from Head quarters.	Total days available for Civil work.	Cases disposed of.
January .	6	14	11	40
February ..	7	19	3	19
March ..	14	17	..	1
April ..	6	13	11	21
May ..	31		..	..
June . ..	5	10	15	61
July ..	5	6	20	63
August ...	6	..	25	56
September .	8	..	22	54
October .	10	15	6	30
November ..	7	21	2	31
December ...	14	10	7	40
Total ..	119	125	122	416
Add disposed of by Additional Commissioner ..				110
				526

As observed in last year's report, the appellate business in Courts of the Commissioner has been excessive. It will now be diminished under the Chief Commissioner's recent orders for keeping the powers of Assistant and Extra-Assistant Commissioners low without reference to their personal competency. If in the result, Deputy Commissioners should not in their turn become overburdened, then the distribution of appellate business will be more equal in Appellate Courts generally, though the Judicial Commissioner cannot hope that the present quality of the work will be maintained. The Chief Commissioner will doubtless concur in thinking that, considering the other multifarious and onerous duties with which Commissioners are, in their very large Divisions, charged, the outturn of Civil Appellate business, especially in the Courts of the Commissioners, Jabalpur and Narbada Divisions, has been for some years extraordinarily good.

E.—Execution of Decrees.

Total business.

60. 36,938 applications for execution of decree were made during 1872, as compared with 42,457 in 1871. The decrease then in this class of business (13 per cent) greatly exceeds in proportion the decrease (6 per cent) in original suits.

Decrease in business general.

61. The only Districts in which execution of decree cases increased were Nimar, Sambalpur, and Bilaspur. It will be remembered that Nimar, and Bilaspur, are Districts in which also original litigation increased during 1872, but in both Districts the increase in execution business exceeded the increase in original suits. Of the two other Districts, Mandla and Hoshangabad, in which also an increase in original suits occurred, no increase in execution of decree cases occurred in Mandla, and in Hoshangbad they decreased from 4,288 in 1871 to 3,920 in 1872.

Except in Cantonment Small Cause Courts, the tendency to large decreases in execution of decree business was very general The following instances in which the decrease amounted to 20 per cent or upwards are noted.

District or Small Cause Court.			Number of applications for execution of decree in		Percentage of decrease.
			1871	1872	
Nagpur Small Cause Court	...	...	3368	2686	20
Bhandara district	...	...	2020	1552	23
Chanda do.	...	...	1318	977	26
Wardha do.	...	...	2947	2196	26
Balaghat do.	...	...	649	515	21
Damoh do.	...	...	1053	641	39
Raipur do.	...	...	1439	1072	26

It will be observed how very general these greater decreases in execution of decree business were in the Nagpur Division. In the only District of that Division not included above (Nagpur), the decrease was 14 per cent, and on an average the decrease in that Division was 21 per cent.

Causes of decrease.

62. Of the causes to which the decrease in original suits was attributed (para. 21) *viz*:—(1) additional holidays, and (2) more careful procedure in the matter of admitting confessions, awarding costs, and decreeing payment by instalments, the latter, originated late in the year, could have even less effect on execution of decree business than on original suits, and the former would not induce a greater decrease in execution of decree business than in original suits. Another cause however, and one which would account for the special decrease in execution of decree business, is suggested in the following extract introductory to para. 23 of the Report for the Nagpur Division—

The decrease "appears at first sight too general and marked to be attributed to any local "influence, or to any changes of Court practice, and in default of other explanation, I should "have been disposed to regard it as the effect of reviving prosperity and good harvests after a "period of distress."

Naturally the older and more pressing debts would be the first settled on a return of prosperity, and thus there would be a special decrease in that portion of the execution of decree business which relates to the execution of decrees of former years. It seems very probable that the decrease of the Provinces both in suits and execution of decree cases may have been due materially to the cause thus generally alluded to by Mr Jones. As already observed (para. 19), the District reports do not throw much light on the specific causes affecting Civil business. But the Judicial Commissioner himself has been impressed with the frequently recurrent expression by private persons, with whom he has communicated during his tour, of opinions which support the view that litigation in these Provinces during late years has assumed its large proportions by reason of the poverty of the people. Wherever the Judicial Commissioner has enquired on this subject, he has been at once met by broad explanations, such as that the people have become poor, that the land does not yield as it used to, and the like,

The reasoning in support of these opinions has of course not always been close and connected, but the uniformity of opinion on this head has seemed to be of a kind which may claim to carry a certain amount of conviction of its truth. And if from this point of view the decrease both in suits and executions may be taken as some index that the circumstances of the indebted classes were in 1872 less straitened than in previous years, the decrease must be a subject of satisfaction.

Immediate executions on verbal application.

63. Of the 36,988 applications for execution of decree, 1,502, or 4 per cent, were allowed verbally at the time of passing decree, as compared with 2,544 or 6 per cent in 1871. The decrease is very general, and is satisfactory as indicating more care in granting such applications. Unless the Courts are careful, there is always danger of this provision of the law, permitting immediate execution of a decree, being taken advantage of in the manner suggested in para. 52 of the Chhattisgarh Division report, to frighten ignorant debtors without ready money into fresh obligations on exorbitant terms. Only in the Nagpur Small Cause Court and in the Sagar, Mandla, and Bilaspur Districts, did the proportion of immediate executions of decree on verbal application increase. Procedure in this respect differs considerably in the two principal Courts of Small Causes, for in the Jabalpur City Court, the proportion of verbal executions was only 1·5 of the whole, as compared with 6 3 in the Nagpur City Court The very small proportion of executions of decree on verba application in Nimar (only 9 out of a total of 3,926 executions), although probably lower than it might properly be, is still so far satisfactory, as showing that the increase above noticed in execution of decree business in that District cannot be attributed to any undue advantage judgment creditors obtained over their debtors by enforcing immediate execution of their decrees. The proportion of executions of decree on verbal application was highest in the following instances :—

District or Small Cause Court	Total executions of decree.	No. of immediate executions of decrees on verbal application.	Percentage of executions on verbal application.
Upper Godavari	92	62·	6·7
Sagar Cantt. S. C. Court	207	24·	12
Bilaspur	762	72·	9·5
Chhindwara	1,383	128·	9·3

The Deputy Commissioner of the Upper Godavari District shows that formerly execution on verbal application was sometimes illegally granted in that District, but that the recurrence of irregularities under this head has been checked.

Results of execution.

64. Out of 36,503 cases disposed of, decrees were completely executed in 12,493 or 34 per cent, partially executed in 9,319 or 26 per cent, and in 14,691 or 40 per cent no execution was effected. These proportions are much the same as in 1871. No doubt in many of the cases in which, according to the statements, no execution was effected, the proceedings taken, although technically ineffective, induced satisfactory private adjustments. Instructions regarding results in execution of decree cases were issued in last year's report. Still the following Table instances some remarkable

diversities which can hardly be accepted as due only to variable possibility of enforcing decrees :—

District or Small Cause Court.		Total execution of decree cases disposed of.	Percentage completely executed.	Percentage partially executed.	Percentage in which no execution was effected
Nagpur City Small Cause Court	...	2,697	37	10	53
Kamthi Cantonment do.	...	1,938	19	33	48
Jabalpur City do.	...	947	19	34	47
Chanda District	...	1,026	40	29	31
Seoni do.	...	1 184	26	33	41
Mandla do.	...	185	46	39	15
Hoshangabad do.	...	3,743	26	23	51
Nimar do.	...	3,807	58	12	30
Narsinghpur do.	..	4,024	26	34	40
Chhindwara do.	.	1,371	38	31	31
Sambalpur do.	...	359	61	16	23
Bilaspur do.	..	761	42	32	26
Upper Godavari do.	...	101	60	26	14

And the figures generally seem to indicate that diverse interpretations are assigned to the terms "decree completely executed," "decree partially executed," and "no execution effected." No doubt there may be, in some cases, room for more than one interpretation. The Judicial Commissioner has now set on foot inquiry with a view to the issue of further instructions in order to secure greater uniformity in the future registration of results. The small proportion of successful executions in Small Cause Courts is explained in part by the comparative ease of removing from such small jurisdictions, and the inability of such Courts to enforce execution against immoveable property.

Imprisonments.

65. The total number of persons actually committed to prison in execution of decree has decreased from 1,141 to 945. It is remarkable that the only large increases in imprisonments occurred in the very places where execution of decree was least successful *viz.*, in the Nagpur Small Cause Court, where the number imprisoned rose from 151 to 203, and in the Hoshangabad District, where the number rose from 125 to 174. In the case of the Nagpur Small Cause Court, the Judicial Commissioner had, during the year, to notice some oversight, injurious to judgment debtors, of the law relating to their imprisonment in execution of decree. But it is believed that the Courts do not usually err in this respect. Compared with the number of cases in which there was no execution (14,691), or only partial execution (9,319), the number of persons imprisoned in execution of decree does not appear excessive. At the same time, no doubt, it is most desirable that the Courts should be scrupulous in complying with every legal condition before committing judgment-debtors to prison in execution of decree, or deciding to retain them there after they have made application for discharge.

The subject of Civil Jails has been adverted to in para. 12 above.

Proportion of sales to attachments.

66. In 10,639 instances attachment of moveable property was effected, but in only 4,974 instances was sale carried out. Similarly immoveable property was attached in 6,172 instances, but in only 2,831 instances was sale executed. Allowing for the 1,483 instances in which attached property was released on claims of third parties, it appears that attachment, in 43 per cent of the cases where effected, served to induce debtors to come to terms to save their property.

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67. More than a third of the total attachments were of immoveable property. This proportion illustrates the comparative difficulty of attaching moveable property, for while nearly every warrant for the attachment of immoveable property must, in the nature of things, be successful, warrants for attachment of moveable property are constantly evaded. This point is further illustrated by the following results in particular Districts.—

Attachments of immoveable property.

Districts.	Attachments of moveable property.	Attachments of immoveable property
Nagpur ...	1,160	985
Jabalpur ..	278	252
Sagar ...	373	534
Hoshangabad ...	1,135	757
Betul ..	480	400
Narsinghpur ...	829	1,094

68. As of the total 6,172 immoveable properties attached 2,331 were sold, it is satisfactory to be assured by the Commissioner Jabalpur Division that—

Description of immoveable properties attached and sold.

(*Para 24*) "The largest portion of those sales were of trifling value, and but few of lands paying revenue to Government, the greater part of them being of tenements not exceeding Rs. 20 in value."

Again, although there were so many as 1,094 attachments of immoveable property in the Narsinghpur District, "only one whole village and 3 shares in villages were sold."

The following Table exhibits the extent to which Courts executing decrees applied for sanction to execution sale of property in land, under the special proviso subject to which the Code of Civil Procedure was extended to these Provinces.

Districts.	Sales of property in land sanctioned during 1872.										Sales disallowed.	
	More villages than one.		Single villages.		Shares in villages.		Proprietary right in land and occupancy tenures.		Total.			
	Ancestral.	Acquired.	Ancestral	Acquired	Ancestral	Acquired.	Ancestral	Acquired.	Ancestral.	Acquired.	Ancestral.	Acquired.
Nagpur ...	...	...	1	...	2	..	9	...	12	...	2	..
Chanda ...	..	...	..	...	..	..	...	..	...	...	..	...
Bhandara ...	...	...	..	...	1	..	..	...	1	...	...	..
Wardha ...	...	...	..	...	1	..	5	1	6	1	...	...
Balaghat ...	..	...	...	.	1	..	..	2	1	2	1	...
Jabalpur ...	...	1	2	...	3	..	3	...	8	1	1	..
Sagar ...	2	...	1	...	1	1	...	..	4	1	3	...
Damoh ...	...	...	...	...	2	..	2	...	4	...	...	...
Seoni .	.	...	1	...	1	..	1	...	3	...	1	...
Mandla ..	..	1	...	...	1	...	..	...	1	1	1	...
Hoshangabad ...	...	...	...	...	2	...	4	...	6	..	..	..
Narsinghpur ...	...	..	2	...	7	...	3	1	12	1	..	1
Nimar ..	..	...	..	...	...	.	..	...	...	...	..	...
Betul ...	..	...	...	...	2	..	2	..	4	...	..	...
Chhindwara ...	...	...	..	..	1	...	3	...	4	...	...	..
Raipur ..	...	...	..	...	..	...	...	...	...	...	1	..
Sambalpur ...	...	...	..	...	...	...	...	...	..	...	...	..
Bilaspur ...	...	...	1	..	1	...	...	...	2	..	...	..
Upper Godavari ...	...	...		...		..	..	...	...	...	...	..
Total...	2	2	8	...	26	1	32	4	68	7	10	1

Out of the 68 cases in which sanction to the sale of ancestral property was given, there were doubtless several in which as usual sale was ultimately averted, and the direct action of the Courts in enforcing the transfer for debt of landed property seems to be growing less rather than increasing.

Managers of attached property.

69. In 176 instances in which attached property consisted of immoveable property or debts, managers of such property were appointed under Section 243 of the Civil Procedure Code. Most of these appointments were in connection with immoveable property not debts.

Heretofore the appointment and control of managers of attached property has not always been judicious and effective. But under instructions which the Judicial Commissioner issued last year, special attention is now directed to this subject.

Process fees.

70. During the year 304,575 processes of different kinds were issued by the Courts [including 21,944 processes issued by Collectors and Deputy Collectors in rent suits], as compared with 327,803 in 1871. The decrease is of course due to the general decrease in Civil business which has been noticed above. The total fees levied for service of processes decreased from Rs. 1,53,765 in 1871 to Rs. 1,37,602, or over 10 per cent, while expenditure was reduced from Rs. 61,569 to 59,981 or 2·6 per cent. Comparing the details in Local Statement VII. with those in the corresponding Statement for 1871, it appears that very general endeavour was made to meet the decrease in receipts by some reduction of establishment. Of course under our system of fixed salaries, such reduction in exact proportion to the decrease in receipts could not be expected, for the discharge of occasional servers would not affect the salaries of supervising establishments. Also the more permanent members of the serving establishments had necessarily to be kept on during May, notwithstanding the Civil Court vacation. In the Nagpur Small Cause Court and in the Balaghat, Jabalpur, and Narsinghpur Districts however, there was some increase in establishment notwithstanding decrease in receipts; and in the Damoh, Seoni and Raipur Districts, and in the Jabalpur City Small Cause Court, the decrease in expenditure compared with the falling off in receipts was exceptionally small.

The new rules regarding process-fees and process-serving establishments made under the Court Fees' Act, 1870, have at length been sanctioned, and will now be brought into operation. The opportunity has been taken to request Deputy Commissioners and Judges of Small Cause Courts to revise their establishments and to make any possible further reduction. The surplus of process fees over expenditure was Rs. 77,621, whereas the total expenditure was only Rs 59,981. The new rules provide for a reduction of process fees, and the surplus in future years will not be so excessive.

Conclusion.

71. This report is submitted later in the year than usual. Other heavy duty and the necessity which arose for procuring amended returns and additional information have caused delay.

I have the honor to be,

Sir,

Your most obedient Servant,

T. DRYSDALE,

Registrar.

APPENDIX A.—(JUDICIAL (CIVIL) REPORT FOR 1872.)

Detailed comparison of the numbers of suits instituted during 1871 *and* 1872 *in the Civil Courts of Original Jurisdiction in the Central Provinces.*

District or Court of Small Causes.	Number of suits instituted in		Percentage of increase in 1872.	Comparison of suits instituted in each quarter.								Remarks and explanations.
				1st quarter.		2nd quarter.		3rd quarter.		4th quarter.		
	1871.	1872.		1871. (72 Court days.)	1872. (64 Court days, less any closure for the census.)	1871. (74 Court days.)	1872. (48 Court days.)	1871. (76 Court days.)	1872. (73 Court days.)	1871. (65 Court days.)	1872. (60 Court days.)	
Nagpur District ...	6,761	6,060	—10·4	1,832	1,621	1,844	1,513	1,913	1,767	1,172	1,159	The decrease was greatest in the first half of the year, in the third quarter the decrease lessened, and in the 4th quarter the institutions of the two years were nearly equal. The largest decrease occurred in the Ramtek Courts (from 1,886 to 1,399), and there was large decrease also at Katole (from 2,205 to 1,983), while at District Head Quarters the institutions of the two years were nearly equal, and at Umrer there was a small increase. But within the year there were fluctuations of a conflicting character in different Courts. At Ramtek the decrease occurred chiefly in the 1st and 2nd quarters, but also largely in the 4th quarter, while in the 3rd quarter the institutions of the two years were nearly equal. At Katole on the other hand the main decrease occurred in the 3rd quarter (being 32 per cent for that quarter), a smaller decrease in the 2nd quarter being balanced by increases in the 1st and 4th quarters. Again at District Head Quarters there was a large decrease (509 to 417 suits, in the 1st quarter and a smaller decrease in the 2nd quarter, the two being nearly balanced by increases in the 3rd and 4th quarters, while at Umrer there were steady increases in the three first quarters and a decrease in the 4th quarter. Regarding the decrease at Ramtek the Deputy Commissioner remarks. "The decrease is specially observable in cases before the Tahsildar of Ramtek. "This Tahsildar was in the habit of doing two things which were extremely "favourable to plaintiffs, viz., granting applications for attachment before judg-"ment, and scarcely ever decreeing payment by instalments. In 1871 there "were 75 cases of the former and 5 of the latter, whereas in 1872, the proportion "has just been reversed, being 5 of the former and 60 of the latter. I think "it may reasonably be inferred that the Tahsildar's action in 1872 tended to "check litigation." But the irregular fluctuations above noted are unexplained.
Small Cause Court, Nagpur City ..	5,306	5,061	—4·6	1,273	1,164	1,365	1,353	1,580	1,642	1,088	902	The causes of the decrease are not investigated in the Judge's report. From the returns, however, the decrease appears to have been common both to the Court of the Judge (suits exceeding Rs. 20) and of the Registrar (other suits), only higher in proportion in the former. The decrease in the first quarter occurred notwithstanding a considerable increase in January The comparative equality in the 2nd quarter, despite the May vacation, is noticeable. The increase in the 3rd quarter is due to a large rise in July. From August onwards there were decreases every month, but these decreases were large only in October and November. The occurrence of these decreases suggests coincidence with action taken on this Court's Circulars 4 and 10 of 1872, (Appendix B.)

D L Y N—11—58—360.

District or Court of Small Causes.	Number of suits instituted in 1871	Number of suits instituted in 1872	Percentage of increase or decrease in 1872.	Comparison of suits instituted in each quarter. 1st quarter. 1871. (72 Court days.)	1st quarter. 1872. (64 Court days, less any closure for the census.)	2nd quarter. 1871. (74 Court days.)	2nd quarter. 1872. (48 Court days.)	3rd quarter. 1871 (76 Court days.)	3rd quarter. 1872. (73 Court days.)	4th quarter. 1871. (65 Court days.)	4th quarter. 1872. (60 Court days.)	Remarks and explanations
Small Cause Court, Kamthi Cantonment ...	2,594	2,780	+7·1	630	472	748	611	695	951	521	746	The increase which, it will be seen, was confined to the latter half of the year, has only been referred to generally in the Judge's report, and no explanation has been given of the large decrease in the 1st quarter, although that decrease was continuous through each month of the quarter. The decrease in the 2nd quarter is doubtless attributable to the May vacation. As in April there had been no increase in anticipation of the vacation, and as the increase in June was only moderate, it seems probable that the large increase in July (218 to 435 suits), which forms the bulk of the increase in the 3rd quarter, consisted in great part of suits whose institution had been deferred by reason of the May vacation. The increase in the 4th quarter seems due to the transfers of troops referred to in the Judge's report.
Chanda ..	2,937	2,072	—29·5	920	637	834	520	794	455	389	460	In this District some uncertainty in comparing the institutions of the two years arises from the Chimur pargannah, with an unknown average number of suits, having been transferred during the last nine months of the year from the local jurisdiction of the Warora Tahsildar to that of the Station Court, Chanda. It is, however, noticeable that during the first quarter of the year [*i. e.* before the above transfer] there was an increase from 144 to 172 in the institutions before the Station Court, and a very marked decrease [from 401 to 212] before the Tahsildar of Warora. In the Station Court during the 2nd quarter there was, as compared with 1871, a considerable decrease in institutions, which may be attributable to the May vacation; in the 3rd quarter institutions rose to an equality, and in the 4th quarter there was an increase from 96 to 158 suits, the net result for the nine months being an increase of 22 suits; which, however, was only a nominal increase, as the Deputy Commissioner notes that, but for the additional suits due to the transfer of jurisdiction above noted, there would have been a decrease. At Warora during the nine months succeeding that transfer, the institutions were only 342 as compared with 822 in the corresponding nine months of 1871, or an average decrease of 58 per cent, rising to 66 per cent in the 3rd quarter and falling to 45 per cent in the 4th quarter. The exceptional decrease in the 3rd quarter seems partly attributable to the closing of the Naib Tahsildar's Court at Warora, which was opened during the last 6 months of 1871, and in the 3rd quarter (1871) attracted very large institutions.

In the Courts of the Tahsildars, Mul and Brahmapuri, institutions decreasd on the whole by about one-fifth, both Courts showing large decreases in the first and third quarters. At Brahmapuri these decreases were larger than at Mul, and the greater decrease there occurred in the 1st quarter, while at Mul the greater decrease occurred in the 3rd quarter. At Mul the institutions of the 2nd quarter equalled and of the 4th quarter exceeded by a few the corresponding institutions of 1871, while at Brahmapuri there were large increases in both quarters, the greater increase being in the 4th quarter.

The Deputy Commissioner attempts to account for the general decrease of business in his District Courts. But he does not allude to certain instructions which his predecessor issued in the middle of April, directing that the Courts should as a rule direct payment by instalments such as the debtor could reasonably be expected to meet, and that when for any special reason the Court did not decree instalments, an explanation should be given in the record. These instruc-

District or Court of Small Causes.	Number of suits instituted in 1871.	Number of suits instituted in 1872.	Percentage of increase or decrease in 1872.	Comparison of suits instituted in each quarter. 1st quarter. 1871. (72 Court days.)	1st quarter. 1872. (64 Court days, less any closure for the census.)	2nd quarter. 1871 (74 Court days)	2nd quarter. 1872 (48 Court days)	3rd quarter. 1871 (76 Court days)	3rd quarter. 1872 (73 Court days)	4th quarter. 1871 (65 Court days)	4th quarter. 1872 (60 Court days)	Remarks and explanations.
												tions suffice in great measure to account for the decrease of business. They should have been withdrawn on receipt of this Court's Circular No. 4 of 1872. But it does not appear that this was done until very recently when their issue was discovered. The figures, however, afford ground for belief that the great falling off in business was towards the end of the year checked by that personal study by each Judge of the instructions of Circular No. 4 of 1872, which was necessitated by this Court's subsequent Circular No. 10 issued in September (Appendix B).
Bhandara	3,507	3,122	—10·7	1,082	734	981	974	778	579	666	885	In the Station Court the number of suits, as compared with institutions in 1871, decreased 17 per cent in the 1st quarter, 21 per cent in the 2nd quarter, and 41 per cent in the 3rd quarter, while in the 4th quarter there was an increase of 35 per cent. No satisfactory explanation is given of the decrease in the 1st quarter, but the exceptional decrease in the 3rd quarter is attributed to the Judge refusing to allow the agents of certain large banking firms to continue to conduct suits on behalf of their absent principals, unless empowered by special power of attorney in each suit. This prohibitive action was put a stop to in October, and the increase in the 4th quarter is said to have been the result. In the Tirora Tahsil Court during the 1st quarter, suits decreased 50 per cent, to 251 as compared with 500 suits in the corresponding quarter of 1871 This is attributed to the continued ill health of the Tahsildar, who was obliged at the close of the quarter to proceed on leave. Consequently in the 2nd quarter institutions increased to 517 as compared with 412 in the corresponding quarter of 1871. In the 3rd quarter the institutions of the two years were equal, and in the 4th quarter suits increased from 240 in 1871 to 331 in 1872. This latter increase is attributed to deficiency in 1871, the Tahsildar having, during the last quarter of that year, been much employed in census work in the interior of his Tahsil. In the Sakoli Tahsil decrease continued uniformly during the three first quarters at the rate of about 17 per cent, and in the last quarter the decrease equalled 24 per cent. The decrease in the 1st quarter is attributed to a change of Tahsildars and some delay in investiture of the officiating incumbent with civil powers. For the continuation of like decrease throughout the year no explanation is given. The Deputy Commissioner further advances as a general cause of decrease attention to this Court's Circulars 4 and 10 of 1872 [Appendix B.]; But the facts are against such explanation, for the bulk of the decrease occurred in the 1st quarter of the year, and the first of these Circulars did not issue till the 2nd quarter was well advanced. The large decrease of the 3rd quarter occurred chiefly in the Station Court, and that has been specially explained. The latter Circular quoted issued at the close of the 3rd quarter, but in the 4th quarter a large increase, rather than decrease, occurred.

District or Court of Small Causes.	Number of suits instituted in 1871	Number of suits instituted in 1872	Percentage of increase or decrease in 1872.	Comparison of suits instituted in each quarter. 1st quarter. 1871 (72 Court days.)	1st quarter. 1872 (64 Court days, less any closure for the census.)	2nd quarter. 1871 (74 Court days.)	2nd quarter. 1872 (48 Court days.)	3rd quarter. 1871 (76 Court days.)	3rd quarter. 1872 (73 Court days.)	4th quarter. 1871 (65 Court days.)	4th quarter. 1872 (60 Court days.)	Remarks and explanations.
Wardha ..	6,169	5,485	—11·	1,653	1,626	1,752	1,272	1,680	1,437	1,084	1,150	It will be seen that the year's decrease is due chiefly to decreases of 480 suits in the 2nd quarter and 243 suits in the 3rd quarter. The decrease of the 2nd quarter occurred in the Hinganghat Courts (from 616 to 336), and in the Arvi Courts (from 605 to 403), the institutions at Wardha being equal for both years. Decrease in the 3rd quarter occurred at Hingunghat only (from 710 to 357), both Arvi and Wardha showing small increases.

At Hinganghat, the year began with an increase in the first quarter, resulting from a very large increase in January (from 164 to 254), a smaller increase in February and an equality in March. At the close of March the Assistant Commissioner at Hinganghat was changed, and, in the District Report, the subsequent decrease in the litigation at Hinganghat seems attributed chiefly to the new Assistant Commissioner unduly decreeing payments by instalments and awarding costs against Plaintiffs. But at Hinganghat the bulk of the Civil work is done by the Court of the Naib Tahsildar, and it is observable, that while only 33 suits were filed in the Court of the relieved Assistant Commissioner in each of the two months February and March, when the Court of the Naib Tahsildar was open under him, 222 suits were filed in the Court of the new Assistant Commissioner during the remaining nine months of the year, although May was a closed month, and the jurisdiction of the new Assistant Commissioner extended to Rs. 1,000 only instead of Rs. 5,000 like that of his predecessor. Any decrease therefore clearly attributable to the change of the Assistant Commissioner would be but small. The bulk of the decrease at Hinganghat seems rather a proper re-action from excessive litigation in 1871, which excess occurred chiefly in the 2nd and 3rd quarters, the very quarters of 1872 in which the chief decreases occurred. Thus the litigation in Hinganghat which in 1869 was only 882 suits, and in 1870 1230 suits, rose in 1871 to 2069, of which number 1326 suits were filed in the 2nd and 3rd quarters alone. In the 4th quarter of 1871 only 295 suits were instituted, and in 1872 the number was 264. The total institutions at Hinganghat in 1872 were 1522, which is still a large increase on the figure of 1870.

At Arvi the large decrease in the 2nd quarter was counterbalanced by an almost equal increase in the 4th quarter, so that the total institutions of 1872 (2102) nearly equalled the institutions of 1871 (2134). The decrease noticed in the 2nd quarter may of course have been due chiefly to the May vacation, but any consequent reaction should at least have occurred in the 3rd quarter, when institutions only rose from 538 to 584; so the large increase in the 4th quarter can apparently have no connection with the vacation, and the local reports suggest no explanation.

At Wardha itself there were no marked fluctuations such as at Hinganghat and Arvi. The institutions of 1872 were 1861 suits ascompared with 1966 suits in 1871. The decrease occurred in the 1st and 4th quarters, in the 2nd quarter the institutions of the two years were equal, and in the 3rd quarter there was an increase. A decrease of 56 suits in December seems attributable partly to a change in the Station Court Judge.

Balaghat ..	1,236	989	—20	261	289	344	223	332	225	299	252	The increase in the first quarter occurred despite a large decrease in January attributed "to nearly every official being sent out to take part in the census." In April there was a large increase in

District or Court of Small Causes.	Number of suits instituted in 1871.	Number of suits instituted in 1872.	Percentage of increase or decrease in 1872.	Comparison of suits instituted in each quarter. 1st quarter. 1871. (72 Court days.)	1st quarter. 1872. (64 Court days, less any closure for the census.)	2nd quarter. 1871. (74 Court days.)	2nd quarter. 1872. (48 Court days.)	3rd quarter. 1871. (76 Court days.)	3rd quarter. 1872. (73 Court days.)	4th quarter. 1871. (65 Court days.)	4th quarter. 1872. (60 Court days.)	Remarks and explanations.
Balaghat (*Continued*).												anticipation of the May vacation, but like increase in June appears to have been stopped by the appointment (on transfer) of a new Judge (Mr. Prior) to the Court of the Assistant Commissioner at Burha. Subsequent decrease is also attributed in part to this change of Judge. The decrease in the 3rd quarter was large, and continuous, but the Deputy Commissioner notes especially that "the rainy season this year was more than usually good, and I really think "that during those months none but the regular money lenders and others "sued, the majority of the rural population being too busy." It is observed that in August the rainfall at Burha was 23·3 inches as compared with 12·9 inches in September 1871. The decrease in the 4th quarter was special to December, but it is noted that the Courts were practically closed from the 19th of that month, when Mr. Prior was sent on inspection duty to Behir.
Upper Godavari	286	277	−3·1	42	101	101	56	64	78	79	42	In 1871 the Courts were closed in January and August, and in February only 4 suits were instituted. Regarding 1872 the Deputy Commissioner further explains. "For one month (August) there was no "Civil Court at Dumagudium, owing to the late Tahsildar going away on sick "leave, and the present man not being invested with powers till the 1st Septem-"ber. * * My predecessor was absent (from Sironcha) during the months of "March and April. * * I went into camp in the beginning of November, and "returned to Head Quarters on the last day of the year, during which time "I once visited Sironcha. * * Thus during the year there was no Civil Court "open at Head Quarters for four months."
Jabalpur ..	2,278	2,313	+1·5	532	617	659	646	653	721	434	329	The large increase in the first quarter has not been noticed in the Local Reports. This increase occurred almost entirely in January, so in this District the Civil Courts can have been little interrupted on account of the census. During the 3 first quarters there was a total increase of 7·6 per cent. The large decrease in the 4th quarter, which reduced the institutions of the two years to a comparative equality, occurred in the Sehora Tahsil, where institutions fell from an average of 332 in the 3 preceding quarters to 154. This is attributable chiefly to a change made at the close of the 3rd quarter in the Naib Tahsildar there. The former Naib Tahsildar (Sobhachand) appears (Commissioner's para 18) to have induced an excess of petty litigation.
Small Cause Court, Jabalpur City ..	2,499	2,400	−3·9	543	557	753	665	728	727	475	451	As in the Jabalpur District Courts, so here, there was a large unexplained increase in January. The large decrease in the 2nd quarter, due to the May vacation, nearly accounts for the decrease of the year, as the fluctuations of the other 3 quarters nearly balance one another. The tendency to decrease in the latter half of the year seems due to more careful procedure consequent on this Court's Circular 4 and 10 of 1872 (Appendix B), for the Judge in explanation notes that "during a great part of the time under "report, considerably more care has been taken in sifting and investigating cases "that seemed to be attended with the smallest degree of suspicion, and "especially *ex parte* claims," and a great decrease in suits so decided is instanced.

District or Court of Small Causes.	Number of suits instituted in 1871.	Number of suits instituted in 1872.	Percentage of increase or decrease in 1872.	Comparison of suits instituted in each quarter. 1st quarter. 1871. (72 Court days.)	1st quarter. 1872. (64 Court days, less any closure for the census.)	2nd quarter. 1871 (74 Court days)	2nd quarter. 1872 (43 Court days)	3rd quarter. 1871 (78 Court days)	3rd quarter. 1872 (73 Court days)	4th quarter. 1871 (65 Court days)	4th quarter. 1872 (60 Court days)	Remarks and explanations.
Sagar ...	3139	2,652	- 16.6	918	539	855	584	818	916	541	613	The decreases in the 1st and 2nd quarters equalled 40 and 32 per cent, but those were in part compensated by increases of 12 and 13 per cent in the 3rd and 4th quarters. The abnormal decrease of 379 suits in the 1st quarter is nearly accounted for by a decrease of 235 suits (from 402 to 167) in the Rehli Tahsil, and 122 suits (from 133 to 11) in the Banda Tahsil. The large decrease at Rehli is attributed to faulty procedure on the part of the Tahsildar, Abdul Majid, who held office there till the 18th April, when he went on leave. The decrease at Banda was due chiefly to the Tahsildar (Ibnul Hussein) being without Civil powers in January and February, but even after investiture remarkably few suits were filed before this Tahsildar. The exceptional decrease in the District during the 2nd quarter is doubtless attributable to the May vacation, but a large decrease in April, only partly accounted for by decrease at Rehli and Banda, suggests that the public had not sufficient intimation of the intention to close the Courts in May. At Banda decrease continued throughout the year, only 164 suits being filed before Ibnul Hussein from March to December 1872, as compared with 360 suits before his predecessor from March to November 1871, a result for which Ibnul Hussein's manner or procedure seems considered responsible. At Rehli there was a large increase under Tahsildar Sheo Lal Dabe when the Courts re-opened after the May vacation, but, on his being relieved, suits again fell during the 4th quarter.
Seoni ..	2,619	1,904	—27·3	575	406	749	451	812	645	483	402	In the Courts at District Head quarters there was a total decrease of 243 suits, the main decrease being in the 1st quarter (from 342 to 204 suits), the institutions of the 2nd and 3rd quarters being nearly the same as in 1871, while in the 4th quarter there was a decrease from 291 to 185 suits. In the Court of the Tahsildar, Katangi, suits fell from 960 in 1871 to 544 in 1872, the largest decrease being in the 2nd quarter (from 375 to 116 suits), but there were large decreases also in the 1st and 3rd quarters, while in the 4th quarter there was a small increase. In the Lucknadaon Tahsil there were decreases in the 1st and 2nd quarters, while in the 3rd quarter institutions were nearly the same as in 1871, and in the 4th quarter there was a small increase. In all Courts the decrease in January (probably attributable to the Census) was very marked (total from 223 to 83 suits). At District Head-quarters institutions rose from 69 to 102 in February, and fell from 170 to 57 in March. In all Courts there were very large decreases in August (total from 339 to 163 suits). The decrease in August seems probably attributable to heavy rains, as the return from Lucknadaon shows a rainfall of 27·1 inches as compared with 10·54 in August 1871, and the Seoni return 16·25 as compared with 5·6 inches in August 1871. The local reports do not notice the above fluctuations, but attribute the decrease generally to a 3rd year of successive good harvests Attention to this Court's Circular No. 4 of 1872 is also urged as having induced some

District or Court of Small Causes.	Number of suits instituted in 1871.	Number of suits instituted in 1872.	Percentage of increase in 1872.	Comparison of suits instituted in each quarter. 1st quarter. 1871. (72 Court days.)	1st quarter. 1872. (64 Court days, less any closure for the census).	2nd quarter. 1871. (74 Court days.)	2nd quarter. 1872. (48 Court days.)	3rd quarter. 1871. (76 Court days.)	3rd quarter. 1872. (73 Court days.)	4th quarter. 1871. (65 Court days.)	4th quarter. 1872. (60 Court days.)	Remarks and explanations.
	decrease, but this explanation seems only applicable to the decrease which occurred at District Head Quarters in the last quarter, and which coincides with the issue of this Court's Circular No. 10 of 1872 (Appendix B.)											
Damoh ...	1,783	1,343	—24·7	508	332	562	357	458	326	255	328	As compared with 1871, there was decrease every month of the year except November and December. The increase in December was small, but in November 158 suits were filed as compared with 89 in November 1871. Even the May vacation did not induce an increase in April or June. The Deputy Commissioner writes the decrease "is undoubtedly owing "to the want of prosperity in the District. The rabi harvest of 1872 was "a heavy failure, and the kharif crops of 1871 were far from good. The year before "had seen heavy harvests, but, from want of markets, there had been, with "abundance of grain, difficulty in collecting the land revenue, and agriculturists "had been but very little better off than if the crops had been slight. The year "before that again had been one of slight harvests. The whole of the District "is somewhat impoverished, and creditors are taking fresh bonds and obligations "rather than pressing for decrees, which cannot be executed. This District is "essentially agricultural, and a majority of bonds are for grain advances, and "thus the state of litigation particularly depends on the success or failure of the "harvests. The autumn crops of 1872 were fair, and consequently litigation "again for a short time increased, but with our present gloomy prospects is "again decreasing.
Mandla ...	560	679	+21·3	151	119	170	109	156	320	83	131	The continuous decrease in the first six months is partly explained by the closing of the Courts for the special Civil Court holidays and May vacation granted for the first time in 1872, and by the Census proceedings in January. The suggestion in the Local reports that some of the year's increase was due to the appointment of Mr. Beressur Datt to the Mandla Station Court (just before the May vacation) seems confirmed by the abnormal institutions of the 3rd quarter, of which 262 suits (as compared with 193 in the Courts at Mandla during the previous six months) were instituted before Mr. Datt. The check to such increase in the last quarter seems to have beneficially resulted from this Office Circular No. 10 dated 27th August (Appendix B).
Hoshangabad.	6,695	7,219	+7·8	1,205	1,232	1,784	2,054	2,402	2,562	1,304	1,371	This is the only District in which, despite the May vacation, there was an increase in suits during the 2nd quarter. Suits increased 11 per cent in the 1st quarter, 15 per cent in the 2nd quarter, but the rate of increase fell to 7 and 4 per cent respectively in the 3rd and 4th quarters. The Local reports suggest no explanation of these results, but the occurrence and relative extent of the successive checks on increase suggest possible connection with this Court's Circulars No. 4 and 10 of 1872 (Appendix B)
Betul ...	3,148	3,179	+·9	731	696	965	899	989	1,136	989	1,136	The decreases in the first half of the year are probably due to the increase of closed Court days; the increase in the 3rd quarter seems more than the natural reaction, but has not been noticed

District or Court of Small Causes.	Number of suits instituted in 1871	Number of suits instituted in 1872	Percentage of increase or decrease in 1872.	Comparison of suits instituted in each quarter. 1st quarter. 1871 (72 Court days.)	1st quarter. 1872 (64 Court days, less any closure for the census.)	2nd quarter. 1871 (74 Court days.)	2nd quarter. 1872 (48 Court days.)	3rd quarter. 1871 (76 Court days.)	3rd quarter. 1872 (73 Court days.)	4th quarter. 1871 (65 Court days.)	4th quarter. 1872 (60 Court days.)	Remarks and explanations.
	in the local reports. The check to increase of litigation in the 4th quarter coincides with the issue of this Court's Circular No. 10 of 1872 (Appendix B.)											
Nimar ..	8,551	9,572	+12·1	2,109	2,407	2,587	2,147	2,214	3,008	1,641	2,010	No fresh light has been thrown on the causes of the great and increasing litigation in this district. The increase has been general throughout the district, institutions in the Khandwa Courts having increased from 5,239 in 1871 to 5,623; in the Burhanpur Courts, from 2,844 to 3,297, and in the Court of the Tahsildar, Mortakka, from 468 to 652. The increase in the 1st quarter occurred almost entirely in January when institutions rose to 1,066, as compared with 764 in January 1871. The decrease in the 2nd quarter, attributable no doubt to the May vacation, occurred chiefly in the Burhanpur and Mortakka Courts. In the 3rd quarter, the increase in July (from 911 to 1,323 suits) was remarkable. A large increase occurred too in September and also in October and November, but the institutions of these 3 months in 1871 were the lowest of that year. Comparative equality in December resulted from a large decrease at Khandwa, out-balanced by large increases at Burhanpur and Mortakka.
Chhindwara ...	3,616	3,537	—2·2	694	770	1,142	1,113	1,087	1,107	693	547	A large increase (210 to 344 suits), not noticed in the Local Reports, occurred in February. In the 2nd quarter the institutions were much the same as in 1871, notwithstanding the May vacation. The increase in the 3rd quarter was the result of considerable decreases in July and August, overbalanced by a large increase (195 to 330 suits) in September, but this increase seems due to the institutions in September 1871 having been the lowest of any month that year, for the institutions of September 1872 were less than in either of the two preceding months. The net result for the three first quarters was a comparative equality, the totals for these three quarters of 1871 and 1872 being 2,923 and 2,990 respectively. As there were small increases in November and December, the net decrease of the year is immediately attributable to a large decrease from 276 to 113 suits in October, which has not been noticed in the Local Reports. This decrease seems attributable chiefly to the closing of Tahsildar Bansidhar's Court at Chhindwara on the 10th October. This Court had been opened for special reasons during the two preceding months (Deputy Commissioner's para 6) and had induced exceptionally heavy institutions. Similar decrease in October occurred also in the Saosur Tahsil Courts, but marked fluctuations were frequent in the Saosur Courts during the year, although not noticed in the Local Reports.
Narsingpur ..	6,385	5,593	—12·4	1,814	1,461	1,668	1,221	1,753	1,746	1,150	1,165	The Deputy Commissioner notes that "the "decrease is tolerably evenly divided over all the Courts of the District," but no satisfactory reason is given for it. It appears to have escaped observation that the decrease was special to the first half of the year. The number of closed Court days doubtless contributed to this, but a stronger re-action was to have been expected in the latter half of the year. The fact of a considerable decrease in April (from 553 to 474 suits) suggests that possibly the people had

District or Court of Small Causes.	Number of suits instituted in 1871	Number of suits instituted in 1872	Percentage of increase or decrease in 1872.	Comparison of suits instituted in each quarter. 1st quarter. 1871 (72 Court days.)	1st quarter. 1872 (64 Court days, less any closure for the census.)	2nd quarter. 1871 (74 Court days.)	2nd quarter. 1872 (48 Court days.)	3rd quarter. 1871 (76 Court days.)	3rd quarter. 1872 (73 Court days.)	4th quarter. 1871 (65 Court days.)	4th quarter. 1872 (60 Court days.)	Remarks and explanations.
	not sufficient notice of the intended closing of the Courts in May. Notwithstanding the general equality in the two last quarters, there were exceptional and unexplained decreases in August (628 to 477), and October (505 to 346). The decrease in August may be attributable in some measure to the heavy rains of that month, Narsingpur returning a rain-fall in August of 23·5 inches, as compared with 9·8 inches in August 1871;											
Raipur ...	3,194	2,644	−17·2	790	639	795	536	1,037	973	572	496	The decrease occurred only in the Courts at district head quarters. The large decrease in the 1st quarter, during which, till 18th March, the same judge as throughout 1871 presided in the Court of the Assistant Commissioner, militates against the year's decrease being attributed, so strongly as by the Commissioner, to that Judge's transfer. In the 2nd quarter, the absence of increase in April and June to compensate for the closing of the Courts in May is remarkable. At District Head-quarters the institutions in April and June were even less than in the corresponding months of 1871. In each of these months a different Judge, both new to Raipur, presided over the Court of the Assistant Commissioner. In the 3rd quarter the institutions of July and August equalled the figures (which were peculiarly high) of 1871, but from September onwards, when the Judge of the Station Court was again changed, there was continuous decrease, the total decrease in these last 4 months of the year being from 857 to 715. The Deputy Commissioner, in paras 13 to 15 of his report, attributes the results of the year chiefly to a generally prosperous year, and also to frequent changes of Judges at District Head-quarters, and to more careful procedure induced by the instructions of this Court's Circular No. 4 of 1872, or more probably Circular No. 10 enforcing those instructions, as the decrease attributable thereto appears only to have commenced in September.
Bilaspur ...	2,381	2,501	+7·0	597	638	551	506	815	794	418	623	The only noteworthy point seems the large comparative increase in the 4th quarter, but the explanation seems to lie in the exceptionally small institutions of this quarter in 1871.
Sambalpur ...	1,112	1,087	−2·2	263	213	302	253	328	291	219	330	There was a steady decrease each month of the first quarter. The decrease of the 2nd quarter seems due chiefly to the May vacation. In the 3rd quarter there were small increases both in July and August, and the decrease shown by the quarter's figures occurred in September only, when suits fell from 109 to 48. The total decrease during the three first quarters was from 893 to 75 suits, or 15 per cent. The increase in the 4th quarter, by which the District decrease was reduced to 5 per cent., was the net result of an increase in October from 85 to 125, a decrease in November from 102 to 84, and an increase in December from 32 (an exceptionally low figure) to 121. Thus the decrease in suits connected with land, induced by the resumption of settlement proceedings (Deputy Commissioner's para 8), has latterly been made up by an increase of other suits. The occasional closing of Courts owing to ill health of Tahsildars, noticed in the Local Reports, probably accounts for the fluctuations in the last 4 months of the year.

Judicial Commissioner's Circular No. 4, dated 22nd April 1872, issued in English on 2nd May, in Urdu and Hindi on 30th May, and in Mahratti on 5th June 1872.

The Annual Returns of the business of the Civil Courts for 1871 again show a large increase in the number of suits as compared with previous years,* and some of the reports give rise to an apprehension that this large and continuous increase may be partly owing to a too summary treatment of suits returned as uncontested, which form the bulk of the cases disposed of.†

In 1864, 32,697 suits.
„ 1870, 72,183 „
„ 1871, 78,088 „

† In 1871, 60,177.

2. The Judicial Commissioner would accordingly invite the careful attention of the Courts to the following remarks:—

(1.)—21,202 suits were disposed of on confession by decree for claim in full with costs. Now it is feared that confessions are sometimes too hastily accepted by the Courts, that vague and general admissions are not always sufficiently tested, and that thus decrees are sometimes given against ignorant, or dependent, or careless, or confiding debtors, for matters in respect of some of which they would not, if duly enquired of, confess entire liability. It is also feared that imperfect justice is done in the matter of costs, and that the fitness of decreeing payment by instalments sometimes escapes consideration.

(2.)—12,844 suits were disposed of *ex parte*. Here it is feared that sometimes there may not have been sufficient service of summons on defendant, and that the importance of an assurance on this head is overlooked; sometimes too it is feared that occasional inconsiderate encouragement of verbal applications to enforce immediate execution of decrees may have deterred defendants, ignorant as to the legal means of avoiding execution by personal arrest, and perhaps only partially indebted, from appearing to defend their cases, from fear of being imprisoned on account of the portion which they cannot dispute; and the comparative fewness in some Courts of dismissals *ex parte* may it is feared be due to a superficial consideration of the merits of the claims before decree.

(3.)—12,068 suits were compromised. A large proportion of these were dismissed on intimation by plaintiff of an adjustment out of Court. Now although no doubt adjustments sometimes include concessions by plaintiffs, yet it is apprehended that in many cases these adjustments are inequitable and severer on defendants than awards obtainable from the Courts, and that they are sometimes consequent on an improper pressure on parties to come to terms without further troubling the Courts. The adjustments are also sometimes induced by attachment before judgment, which, however fitting in certain cases, is occasionally ordered without the full consideration required by law, and in the case of the more ignorant and timorous debtors, such attachment secures the object of the creditor by inducing immediate compromise on his own terms.

(4.)—12,178 suits were dismissed in default, and there can be little doubt that this was owing in many cases to private adjustments. It is feared that these compromises may in some instances have been agreed to by debtors because, while a suit had been instituted, defective Court practice as above discouraged them from meeting their creditors in Court and contesting parts of the claims.

3. Now, on the assumption that the treatment of these uncontested suits is, to any considerable extent, superficial and defective as above, then obviously the matter is of great importance, because while, on the one hand, judicial superficiality encourages plaintiffs desirous of undue advantage over facile defendants to swamp the Courts with petty claims in constantly increasing numbers, and thus forms the reproducing cause of a growing evil, on the other hand, judicial thoroughness is essential to that character for even justice, which claims of course most jealous maintenance.

Looking to the results* in contested cases it would seem, on a general view, that when the merits of suits have to be gone into, the interests of defendants are duly attended to, and it would doubtless be unjust to make any general imputation of superficiality in respect of uncontested suits. But while such superficiality may generally prevail in some Courts, press of business may have occasionally induced it even in Courts which treat contested cases with all patience and thoroughness. In any event a very

* Contested suits decided in 1871.

In favor of plaintiff	in whole	7,491.
	in part	5,215.
„ defendant		5,205.
Total		17,911.

slight consideration of the subject will make it apparent that press of business forms no valid plea, and it may be expected, now that attention has been specially turned to the subject, that in every Court uncontested equally with contested suits will receive all the care and attention in their disposal which they deserve, errors and oversights of the nature indicated above being carefully avoided.

If there should be any fear of arrears, other means than a superficial treatment of apparently uncontested claims must be taken to prevent them from accruing. It is better that each Court should administer thorough justice even in fewer cases, than that it should risk anything like a reproach of unevenness arising out of an even inadvertant leaning to the side of plaintiffs in petty cases.

4. The foregoing observations refer to proceedings generally in suits now returned as uncontested. But the Judicial Commissioner would take the opportunity of separately drawing attention to two points which apply to all suits, contested as well as uncontested. They have been prominently noticed in the Annual Reports, and their importance has been brought out with especial force in the report by the Commissioner of the Nagpur Division.

(1.)—The first is the power given by Section 194, Act VIII. of 1859, of decreeing payment by instalments where there is sufficient reason for so doing. It is believed that this power might be more frequently exercised than it has been. It should not of course be arbitrarily used. That would be unjust to plaintiffs. But if in view of the origin and nature of a debt, and on a right understanding of the conditions of repayment, whether expressed or implied, it should seem that recovery by instalments is all that plaintiff has a right to look for, or if any other sufficient reason be apparent, then an order to that effect should in justice to defendant not be overlooked in the decree.

(2.)—The other point, is the due award of costs. It is reported that in some places money lenders habitually make use of the machinery of the Civil Courts to collect debts which they have never troubled themselves to ask the debtors to pay. By instituting several suits at a time, and arranging for simultaneous hearings, they find in the Courts a very convenient and, when costs are given against defendants, an inexpensive machinery at their disposal for conducting that part of their ordinary business which consists in collecting their own outstanding dues. In such cases plaintiffs should ordinarily bear costs. The point is especially liable to be overlooked in cases adjudicated on confession or compromise. If a debtor breaks the conditions of his contract to pay and, on payment being duly demanded, wrongly refuses or neglects to pay, then doubtless he may be liable for costs in a suit brought to compel payment. But debtors may be entitled to that consideration which consists in their creditors using all customary means of inducing payment before bringing them into Court, such as giving them notice when payment is overdue and warning them before instituting a suit and the like, and if creditors resort at once to Court without showing their debtor this ordinary consideration, then the defendants in the suits may reasonably expect that decree be passed against them for the amount of their debts only, and that the plaintiffs shall, by being cast in costs of the suit, be made themselves to pay the price of an expensive convenience, the use of which the defendants had not dishonestly or contumaciously necessitated.

Judicial Commissioner's Circular No. 10, *dated* 27*th August* 1872, *issued in English on* 7*th September, in Urdu and Mahratti on* 17*th September, and in Hindi on* 25*th September* 1872.

With reference to the annexed copy of a letter from the Government of India in the Home Department to the Chief Commissioner, the Judicial Commissioner requests that the periodical Civil Statements for the third quarter of the current year, may be accompanied by memoranda showing how far the Courts may have been able to act on the views indicated in this Office Circular No. 4, dated 22nd April last, and with what effects on litigation, contested and uncontested. The subject should be treated under the several heads and in the order of the above quoted Circular, and results should be compared with the figures of the corresponding quarter of the previous year. The presiding Judge in each ordinary Court will submit a memorandum as above to the Deputy Commissioner of his district, and Deputy Commissioners will prepare an abstract for their several subordinate Courts, submitting the same with their own remarks through Commissioners of Division.

2. In regard to the remark in the Government letter regarding the excessive employment of Pleaders, the extent to which Pleaders may now be employed in suits of low value should also be noted. But in view to a more complete report on this point at the close of the year, the Judicial Commissioner requests that until further orders, every suit decided after the 1st proximo in which a Pleader may have been employed, be entered in both the value and description columns of Statistical Register I. as either P. C. or P. U., to denote "Pleader's contested" or "Pleader's uncontested" suit, as the case may be. The statistics on the subject for four months can then be submitted at the close of the year, separately for each Court, as well as combined for each district.

3. As regards the remark in the Government letter relating to instalments, the Courts will of course understand that a "proper use" of the provision of the Law on the subject means a use "for sufficient reason" as provided in Section 194, Act VIII. of 1859, and explained in para. 4 (1) of this Office Circular No. 4, above quoted.

Copy of a letter No. 1546, dated 16th August 1872, from the Officiating Under Secretary to the Government of India, Home Department, to the Chief Commissioner, Central Provinces.

Home Department, Judicial.

I am directed to acknowledge the receipt of your letter No. 2638-89, dated the 25th ultimo, submitting the report on the Administration of Civil Justice in the Central Provinces for the year 1871, with Colonel Keatinge's review thereon.

2. In reply, I am desired to observe that the Governor General in Council concurs with Colonel Keatinge in thinking that the increase in the number of cases of low value, from whatever cause it may arise, is much to be lamented, and that it must be watched, and everything tending to further a spirit of litigation should be discouraged.

3. The excessive employment of Pleaders is no doubt in itself an almost unmitigated evil, and probably may be connected with the large increase of cases of low value. Similarly the settlement of decrees by instalments is a much valued provision of the law, and no Judge can be held to do his duty who neglects to make proper use of it.

4. The Government of India is glad to see that your attention is occupied in the mitigation of these evils, and leaves the matter with confidence in your hands.

PROVINCIAL STATEMENTS.

Z R—17—114—360.

No

STATEMENT showing the general result of the trial of original suits in

Districts and Small Cause Courts.	Pending from last year.	For disposal.			Transferred.	Plaints rejected or returned.	Dismissed for default.		Withdrawn with leave.	Compromised.		Decreed on confession.		Dis-		Ex
		Filed in 1872.	Received by transfer.	Total.			Number.	Percentage of total disposed of.		Number.	Percentage of total disposed of.	Number.	Percentage of total disposed of.	Number decreed.	Dismissed. Number.	Dismissed. Percentage of total ex-parte.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
Nagpur ...	122	6,060	...	6,182	1	21	973	16·3	126	1,100	18·4	1,581	26·5	912	23	2·4
Principal Court of Small Causes, Nagpur ...	83	5,061	..	5,144	...	7	699	13·9	121	974	19·4	915	18·2	1,081	38	3·4
Court of Small Causes, Kamthi Cantonment ...	23	2,779	...	2,802	...	5	238	8·7	38	587	21·6	1,211	44·5	81	3	3·5
Chanda ...	33	2,072	..	2,105	...	31	253	12·5	14	293	14·5	709	35·1	128	15	10·5
Bhandara ...	223	3,122	...	3,345	...	24	639	19·8	45	393	12·2	1,047	32·2	442	11	2·4
Wardha ...	147	5,485	1	5,633	...	25	·975	18·3	111	942	17·7	1,477	27·8	588	11	1·8
Balaghat ...	38	989	...	1,027	...	11	217	22·3	14	74	7·6	245	25·2	172	5	2·8
Jabalpur ...	52	2,313	9	2,374	4	22	346	15·4	29	344	15·1	420	18·4	283	7	3·2
Principal Court of Small Causes, Jabalpur ...	65	2,400	...	2,465	23	7	604	25·5	21	277	11·6	318	13·4	164	1	0·6
Court of Small Causes, Jabalpur Cantonment ...	1	511	...	512	2	5	26	5·1	4	55	10·8	202	39·7	18	1	5·2
Sagar ...	61	2,652	...	2,713	...	15	403	15·3	27	475	18·	556	21·1	297	13	4·2
Court of Small Causes, Sagar Cantonment ...	9	672	...	681	...	2	47	6·9	7	173	25·6	180	26·7	82	...	...
Damoh ...	32	1,343	1	1,376	..	15	194	14·7	7	296	22·5	416	31·6	141	1	·7
Seoni ...	86	1,904	...	1,990	...	19	380	20·2	27	289	15·3	554	29·3	209	7	3·2
Mandla ...	13	679	...	692	4	3	117	17·1	9	168	24·5	176	25·7	32	4	11·1
Hoshangabad ...	213	7,219	...	7,432	2	34	2,014	28·6	60	975	13·8	1,282	18·	1,301	33	2·5
Betul ...	101	3,249	...	3,350	...	15	611	18·9	40	599	18·5	966	29·9	325	7	2·1
Nimar ...	466	9,572	1	10,039	...	11	1,751	18·8	95	1,318	14·1	2,066	22·1	2,444	16	·6
Court of Small Causes, Asirgarh Cantonment ...	...	174	1	175	...	...	54	38·	2	13	7·4	55	31·4	30	...	...
Narsinghpur ...	153	5,593	2	5,748	...	10	934	17·8	28	565	10·7	1,280	24·3	960	12	1·2
Chhindwara ...	134	3,537	...	3,671	2	55	822	23·4	27	649	18·4	803	22·7	407	11	2·6
Raipur ...	41	2,644	...	2,685	...	22	466	17·9	25	470	17·6	642	24·5	188	11	5·5
Sambalpur ..	42	1,087	...	1,129	...	10	128	12·3	7	86	8·3	406	39·3	80	3	3·6
Bilaspur ...	52	2,561	..	2,613	...	16	347	13·8	53	498	19·7	796	31·4	284	8	2·7
Upper Godavari ...	7	277	...	284	...	5	49	18·2	6	39	14·4	62	23·	19	1	5·
Total... 1872...	2,197	73,955	15	76,167	38	390	13,287	18·3	943	11,652	16·1	18,365	25·3	10,668	242	2·2
Total... 1871...	1,717	78,088	15	79,820	28	281	12,178	15·7	1111	12,068	15·5	21,202	27·3	12,380	464	3·6

1.

he Di of the Ce ral Pr during the 872.

posed of.											Pending.						Average.				
parte		Contested.															Duration of Suits.				
Total.		Judgment for Plaintiff.				Judgment for Defendant.		Total.													
		In whole.		In part.																	
Number.	Percentage of total disposed of.	Number.	Percentage of total contested	Number.	Percentage of total contested.	Number.	Percentage of total contested.	Number.	Percentage of total disposed of.	Total disposed of.	More than four months.	More than three and less than four months.	More than two and less than three months.	More than one and less than two months.	Less than one month.	Total.	Contested.	Uncontested.	Number of hearings in suits disposed of.	Number of suits disposed of, in which reference was made to arbitrators.	REMARKS.
18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39
935	15·7	622	51 2	277	21·9	315	25·9	1,214	20·3	5,951	1	3	8	44	175	231	32·	16·8	1·8	17	
1,119	22·2	516	43·5	343	28·9	326	27·5	1,185	23·6	5,020	...	...	...	1	123	124	12·4	10·8	1·1	6	
84	4·	248	44·5	226	40·5	79	14·2	553	20 3	2,716	...	...	...	...	86	86	10·4	7·7	1·1	21	
143	7 9	146	25·5	250	43·6	178	31·	574	28·4	2,017	...	...	1	10	77	88	25·8	18·3	2·	13	
453	14·	284	45·8	172	27·7	164	26·4	620	19·2	3,221	...	...	...	10	114	124	39·2	24·2	1·8	3	
599	11·3	481	40·7	401	33·9	298	25·2	1,180	22·2	5,309	2	2	4	51	265	324	28·8	17·1	2·1	23	
177	18·2	87	37·1	79	33 7	68	29·	234	14·	972	...	...	1	21	33	55	30·4	19 1	2·	3	
290	12·9	394	48·1	192	23·4	232	28·3	818	35·9	2,273	1	...	7	29	64	101	26·6	17·6	2·2	63	
165	6·9	250	26·1	463	48·4	242	25 3	955	40·2	2,370	...	...	...	6	89	95	16·6	15·6	1 4	51	
19	3·7	32	16·4	134	68·2	29	14·8	195	38·3	508	...	...	...	...	4	4	8·2	7·	1·2	18	
310	11·7	392	46·2	241	28·4	215	25·3	848	32·1	2,634	...	...	...	2	77	79	21·9	16·3	2·	15	
82	12·1	62	33·8	90	49·1	31	16 9	183	27·1	674	...	...	...	...	7	7	9·8	7·5	1·2	37	
142	10·7	127	51·8	45	18·3	73	29·1	245	18·6	1,315	...	...	...	12	49	61	24 9	13·9	2·	13	
216	11·4	205	51·2	86	21·5	109	27·2	400	21·2	1,885	...	...	2	12	91	105	27·	22·	2·	26	
36	5·2	69	40·3	45	26·3	57	33·3	171	24·8	684	...	...	...	2	6	8	15·3	11·5	1·7	6	
1,334	18·9	510	37·9	456	33·9	379	28·1	1,345	19·	7,046	...	1	9	40	336	386	36·	23·9	1 5	63	
332	10·2	245	36·8	195	29·3	224	33·7	664	20·5	3,227	...	...	1	25	97	123	24·4	13·3	1·7	4	
2,460	26·4	754	46·8	497	30 8	363	22·5	1,614	17·3	9,315	...	3	17	179	525	724	34·1	24·6	2·	27	
30	17·1	10	47·6	8	38·	3	14·2	21	12·	175	...	...	...	...	...	...	7·6	8·9	1·	...	
972	18·4	589	39·9	528	35·	359	24·3	1,476	28·	5,265	...	...	10	163	310	483	27 7	20·7	1·9	16	
418	11·8	313	41·9	182	24·3	252	33·7	747	21·2	3 523	1	1	2	13	131	148	33·8	22·	2·1	19	
199	7 6	271	34·3	257	32·5	261	33·	789	30·1	2,613	...	...	1	11	60	72	20·1	16·1	2·	22	
83	7·10	110	35·1	94	30·	109	34·8	313	32·2	1,033	...	...	...	16	80	96	26·	17·1	2·8	42	
292	11·6	138	26 2	198	37·7	189	36·	525	20·7	2,527	...	1	...	3	82	86	19·4	13·4	1·5	21	
20	7·4	28	31·8	36	40·9	24	28·2	88	32·7	269	4	2	2	7	...	15	52·	27·5	1·7	4	
10,910	15·0	6,883	40 6	5,495	32·4	4,579	27·	16,957	23·4	72,542	9	13	65	657	2,881	3,625	28·1	17·5	1·7	533	
12,844	16·5	7,491	41·8	5,215	29·1	5,205	29·1	17,911	23·1	77,623	1	...	30	223	1,943	2,197	18·6	13·	1·6	608	

No. IV

STATEMENT showing the Appellate business of the Courts of the Central Provinces for the year ending 31st December 1872.

In the Court of			For disposal.				Disposed of.										Pending.		Number of cases in which objections under Section 348, Act VIII. of 1859 were.		Average duration of each appeal disposed of.	Remarks.
									Heard exparte.			Contested										
			Pending from last year.	Instituted.	Received by transfer.	Total.	Transferred.	Dismissed for default, or under Section 5 and 6, Act XXIII. of 1861.	Confirmed.	Modified.	Reversed.	Confirmed.	Modified.	Reversed.	Remanded under Section 351, Act VIII. of 1859.	Total.	Total.	More than two months.	Preferred.	Allowed.		
1			2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21
Judicial Commr.	From Decrees	Ordinary.	22	80	...	102	...	2	5	2	3	36	3	12	31	94	8	...	...	...	64·2	
		Rent Law.	2	8	...	10	...	1	1	...	1	...	..	2	5	10	...	..	...	...	59 8	
	From Orders	...	5	7	..	12	...	1	...	...	...	3	1	2	5	12	..	...	...	...	62	
Commissioners. Nagpur	From Decrees	Ordinary.	51	103	.	154	...	6	4	2	1	78	10	23	17	141	13	6	2	..	51	
		Rent Law.	2	52	...	54	...	5	...	2	2	26	2	5	5	48	6	...	...	...	47	
	From Orders	...	3	7	..	10	...	..	1	..	1	4	..	2	1	9	1	1	...	...	80	
Jabalpur	From Decrees	Ordinary	98	400	...	498	..	58	17	2	13	165	28	38	50	371	127	72	3	3	92 9	
		Rent Law.	17	54	...	71	...	9	4	...	2	16	4	11	11	58	14	12	...	..	92	
	From Orders	...	26	80	...	106	...	12	17	1	5	30	4	14	15	98	8	5	...	...	70 2	
Narbada	From Decrees	Ordinary.	23	260	...	283	..	31	24	2	11	102	18	29	21	238	45	4	6	2	42	
		Rent Law.	3	25	..	28	...	5	2	..	1	11	1	4	...	24	4	...	...		41 2	
	From Orders	...	6	60	...	66	...	9	18	.	4	15	1	4	6	57	9	.	...		36 4	
Chhattisarh	From Decrees	Ordinary	8	107	...	115	...	4	9	2	2	38	9	16	7	87	28	8	...		56 3	
		Rent Law.	1	9	...	10	...	...	1	...	...	5	...	2	2	10	..	...	..		57 9	
	From Orders	...	2	17	...	19	...	...	8	2	6	1	...	...	..	17	2	...	...		3	
Total in Courts of the Commr.	From Decrees.	Ordinary.	180	870	...	1,050	...	99	54	8	27	383	65	106	95	837	213	90	11	5	65	
		Rent Law.	23	140	..	163	...	19	7	2	5	58	8	22	18	139	24	12	...	...	65 2	
	From Orders.	...	37	164	...	201	...	21	44	3	16	50	5	20	22	181	20	6	...	...	58 4	

Deputy Commissioners.	Nagpur	From Decrees	6	148		154		6				77	4	41	13	141	13				23 3
		From Orders	1	11		12						5		5	1	11	1				26
	Chanda	From Decrees		44		44		2	4	1	4	16	8	6	3	44					19 7
		From Orders		3		3					1	1	1			3					15
	Bhandara	From Decrees	1	19		20		1				12	3	3		19	1				24 6
		From Orders																			
	Wardha	From Decrees	7	133		140		11	2	1	2	64	8	18	20	126	14				25 5
		From Orders	1	6		7		1				3		3		7					17 4
	Balaghat	From Decrees	6	36		42		3	3		1	12	2	5	7	33	9	1			31 2
		From Orders	1	4		5			2			1	1			4	1				26
	Jabalpur	From Decrees		86		86		7				44	6	13	16	86					25 3
		From Orders		7		7		1	1			1		1	3	7					11 7
	Sagar	From Decrees		50		50		3	8	1	2	12	1	10	13	50					10 8
		From Orders		3		3								2	1	3					9
	Damoh	From Decrees	2	43		45						22	4	16	3	45					14
		From Orders	2	2		4						2		2		4					19 2
	Seoni	From Decrees	2	22		24		6			1	8	1	6	1	23	1				37
		From Orders		2		2			1					1		2					22
	Mandla	From Decrees		14		14		2	2				5	2	3	14					15 1
		From Orders		2		2					1			1		2					6
	Hoshangabad	From Decrees	3	77		80	2	14				35	4	11	7	73	7	3			21 4
		From Orders		9		9						5		2	2	9					24 5
	Betul	From Decrees		56		56		3				27	6	16	2	54	2				13 1
		From Orders		3		3						1		1	1	3					8 3
	Nimar	From Decrees	3	78		81		4	1		1	49	5	6	7	73	8	2			21 1
		From Orders		2		2					1	1				2					21 5
	Narsingpur	From Decrees	8	104	2	114		14				51	15	24	7	111	3				17 2
		From Orders		10		10		1				1	1	6	1	10					14 8
	Chhindwara	From Decrees	3	91		94		6	5		2	42	6	26	6	93	1				15 1
		From Orders		3		3		1				1			1	3					14 6
	Raipur	From Decrees	2	44		46			5			26	1	3	9	44	2				17 4
		From Orders																			
	Sambulpur	From Decrees		21		21						11	1	4	1	17	4				26 5
		From Orders		1		1								1		1					54
	Bilaspur	From Decrees	2	13		15						8		4		12	3				33 5
		From Orders																			
	Upper Godavery	From Decrees		2		2							2			2					11
		From Orders																			
Total in all Courts of the Dy. Commissioner		From Decrees	45	1,081	2	1,128	2	82	30	3	13	521	79	213	115	1,060	68	6			20 7
		From Orders	5	68		73		4	4		3	22	3	25	10	71	2				18 1
Total in all Courts.	From Decrees	Ordinary	247	2,031	2	2,280	2	183	89	13	43	940	147	333	241	1,991	289	96		5	41
		Rent Law	25	148		173		20	8	2	6	58	8	24	23	149	24	12			64 8
	From Orders		47	239		286		26	48	3	19	75	9	47	37	264	22	6			47 7
Grand Total			319	*2,418	2	2,739	2	229	145	18	68	1073	164	404	301	2,404	335	114	11	5	43 2

*Including 51 appeals readmitted after being dismissed for default.

No.

STATEMENT showing the execution of Decrees in the Districts of the

DISTRICTS AND SMALL CAUSE COURTS.	For disposal.					Disposed of.				
	Pending from last year.	Instituted. By verbal application (Section 13, Act XXIII. of 1861).	Instituted. Otherwise.	Received by transfer.	Total.	Decrees completely executed.	Decrees partially executed.	No execution effected.	Total.	Decrees executed by possession being given.
1	2	3	4	5	6	7	8	9	10	11
Nagpur ...	371	80	2,897	161	3,509	993	859	1,252	3,104	54
City S.C. Court, Nagpur ..	121	168	2,518	...	2,807	996	270	1,431	2,697	..
Cantonment do, Kamthi ..	57	77	1,887	6	2,027	364	643	931	1,938	..
Chanda ...	104	71	906	21	1,102	405	298	323	1,026	4
Bhandara ..	350	24	1,528	61	1,963	513	525	618	1,656	9
Wardha ..	222	110	2,086	33	2,451	830	464	930	2,224	16
Balaghat ..	74	17	498	15	604	182	154	193	529	1
Jabalpur ..	234	78	1,265	..	1,577	453	374	493	1,320	18
City S. C. Court, Jabalpur..	40	14	955	..	1,009	181	323	443	947	...
Cantonment do. do. ..	6	6	214	4	230	67	72	77	216	..
Sagar ...	145	81	1,829	36	2,091	529	491	843	1,863	38
Cantonment S.C. Ct., Sagar.	2	24	183	..	209	79	53	74	206	..
Damoh ...	133	43	598	11	785	228	183	231	642	12
Seoni ...	169	43	1,073	20	1,305	304	389	491	1,184	5
Mandla ..	6	5	171	11	193	85	73	27	185	..
Hoshangabad ..	256	257	3,663	16	4,192	963	857	1,923	3,743	8
Betul ..	128	18	1,472	12	1,630	515	440	557	1,512	27
Nimar ...	311	9	3,917	10	4,247	2,199	473	1,135	3,807	18
Cantt. S. C. Court, Asirgarh.	2	..	40	...	42	24	15	3	42	..
Narsinghpur ..	306	96	4,369	...	4,771	1,047	1,368	1,609	4,024	41
Chhindwara ...	172	128	1,255	2	1,557	516	432	423	1,371	3
Raipur ..	72	16	1,056	9	1,153	401	257	388	1,046	8
Sambalpur ...	25	3	383	..	411	219	56	84	359	7
Bilaspur ..	72	72	693	12	849	339	224	198	761	2
Upper Godavari ..	15	62	30	1	108	61	26	14	101	..
Total .. 1872	3,393	1,502	35,486	441	40,822	12,493	9,319	14,691	36,503	271
Total .. 1871	2,791	2,544	39,201	712	45,248	14,838	10,818	16,485	42,141	317

V.

Central Provinces during the year ending 31st December 1872.

Pending					Nature and number of coercive processes issued.								
						Moveable property.		Immoveable property.		Orders under Sec. 243, Act VIII of 1859.			
More than four months.	More than three and less than four months.	More than two and less than three months.	Less than two months.	Total.	Imprisonment of person.	Number of warrants in execution of which attachment was effected.	Number of orders for sale executed.	Number of warrants in execution of which attachment was effected.	Number of orders for sale executed and confirmed.	Manager appointed.	Sale postponed.	Temporary alienations under Section 244, Act VIII. of 1859.	REMARKS.
12	13	14	15	16	17	18	19	20	21	22	23	24	25
75	25	42	263	405	41	1,160	532	985	549	..	...	..	
1	1	1	107	110	203	395	233	..	...	..	..	...	
..	..	...	89	89	8	409	143	..	..	..	..	...	
4	..	5	67	76	8	535	249	104	53	..	...	..	
31	4	66	206	307	17	683	390	337	194	26	..	4	
31	6	31	159	227	50	844	388	301	145	...	..	...	
6	1	1	67	75	3	302	99	81	50	..	..	..	
107	38	28	84	257	10	276	136	252	145	4	..	15	
..	...	..	62	62	47	304	141	..	..	..	..	...	
..	..	...	14	14	12	46	28	..	..	...	..	...	
53	10	24	141	228	53	373	117	534	176	14	1	..	
...	..	..	3	3	18	35	21	..	..	...	..	...	
68	1	5	69	143	38	183	85	136	57	65	..	..	
24	4	17	76	121	24	368	211	175	90	2	1	..	
2	..	..	6	8	2	38	17	21	8	1	..	..	
17	27	36	369	449	174	1,135	430	757	310	..	5	..	0
24	7	12	75	118	15	480	204	400	152	..	..	2	
26	14	36	364	440	110	649	346	391	148	2	..	..	
..	..	...	..	..	..	...	...	..	..	..	..	...	
79	101	98	469	747	48	829	391	1,094	493	58	..	..	
10	7	12	157	186	17	776	425	433	192	..	..	5	
16	4	9	78	107	13	299	152	80	31	..	..	...	
..	...	1	51	52	8	189	69	17	9	...	..	..	
14	2	5	67	88	25	264	136	72	27	4	...	3	
..	1	1	5	7	1	65	31	2	2	...	..	...	
588	253	430	3,048	4,319	945	10.639	4,974	6,172	2,831	176	7	47	
114	107	343	2,543	3,107	1,141	10,977	4,703	6,929	3,012	12	10	220	

No.

STATEMENT showing the Miscellaneous business of the Courts of the Central

DISTRICTS AND SMALL CAUSE COURTS.	Claims to attached property.			Claims to sue *in forma pauperis*.			Offences.					
							Contempts of the lawful authority of Public Servants [Chapter X. of the Indian Penal Code].					
							Under Chapter X. Criminal Procedure Code and Section 521, 22, Act XXIII. of 1861. — Number of persons.				Referred to Magistrate, Section 171, Criminal Procedure Code.	
	Decided in favour of claimant.	Decided against claimant.	Pending.	Allowed.	Refused.	Pending.	Disposed of by the Civil Court.	Referred to Magistrate or Justice of the Peace.	Accused discharged on submission or apology.	Persons regarding whom mere sanction to prosecution was recorded.	Cases.	Persons.
1	2	3	4	5	6	7	8	9	10	1	12	13
Nagpur ...	265	228	19	5	20	1	..	..	..	..	...	...
Principal Court of Small Causes, Nagpur ..	39	26	3	5	4	..	..	...	..	..	..	..
Court of Small Causes, Kamthi Cantonment ...	18	14	..	...	..	1	1	..	..	...	...	..
Chanda ...	60	35	3	2	8	..	1	..	...	..	...	..
Bhandara ..	84	72	17	..	3	1	..	...	..	..	2	2
Wardha ..	116	187	43	2	2	..	1	..	—	...	..	..
Balaghat ..	38	24	6	2	5	...	..	..	..	..	...	...
Jabalpur ...	51	122	6	5	17	...	..	..	..	7	5	8
Principal Court of Small Causes, Jabalpur ...	28	40	1	..	4	..	..	...	..	..	..	1
Court of Small Causes, Jabalpur Cantonment ...	3	1	..	..	1	..	...	..	..	..	..	...
Sagar ..	45	14	2	4	18	..	2	..	..	..	..	..
Court of Small Causes, Sagar Cantonment ..	5	3	..	..	2	..	1	..	...	..	..	...
Damoh ...	33	21	..	1	..	...	..	..	...	6	..	..
Seoni ..	45	54	8	..	2	1	..	...	...	...	.	..
Mandla ..	4	2	...	1	3	..	..	...	...	..	.	..
Hoshangabad ..	77	72	10	1	9	7	2	..	1	...	...	..
Betul ..	58	64	5	10	20	..	4	..	..	...	1	2
Nimar ...	285	159	...	2	22	..	..	..	..	..	..	..
Court of Small Causes, Asirgarh Cantonment ...	...	..	..	...	..	..	..	..	..	..	..	...
Narsinghpur ..	79	120	5	2	2	...	..	..	..	..	...	..
Chhindwara ..	79	116	..	3	2	..	2	..	..	..	..	..
Raipur ..	37	36	6	2	10	..	1	..	..	...	..	..
Sambalpur ..	8	6	2	1	..	..	..	..	..	...	...	..
Bilaspur ..	20	13	1	3	9	...	..	..	...	9	...	..
Upper Godavery ...	6	2	..	2	1	..	..	..	...	..	...	...
Total .. 1872	1 483	1 563	137	53	164	11	15	..	1	22	8	13
Total .. 1871	1 548	1 846	131	54	132	10	15	9	5	2	4	7

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VI.

Provinces during the year ending December 1872.

FENCES TAKEN COGNIZANCE OF BY CIVIL COURTS.										
Offences against Public Justice, [Sections 169, 171 and 173, Criminal Procedure Code, and Section 16, Act XXIII. of 1861.]					Offences relating to documents, [Sections 170, 171, and 173, Criminal Procedure Code, and Section 19, Act XXIII. of 1861.]						
Persons regarding whom mere sanction to prosecution was recorded.	Referred to Magistrate, Section 171, Criminal Procedure Code.		Committed for trial to the Court of Session.		Persons regarding whom mere sanction to prosecution was recorded.	Referred to Magistrate.		Committed for trial to the Court of Session.		Other Miscellaneous applications or proceedings.	REMARKS.
	Cases.	Persons.	Cases.	Persons.		Cases.	Persons.	Cases.	Persons.		
14	15	16	17	18	19	20	21	22	23	24	25
..	..	..	1	1	...	..	..	..	..	152	
..	..	..	..	...	...	..	...	..	..	260	
..	..	..	...	..	...	...	...	..	...	169	
..	..	..	..	..	..	..	...	..	..	206	
...	1	3	..	..	..	...	...	..	..	173	
..	..	..	..	..	..	..	..	..	..	47	
..	..	..	..	..	..	..	...	..	..	4	
..	1	1	..	..	..	..	...	...	..	18	
1	5	5	..	..	...	...	..	..	..	20	
...	..	...	..	..	..	..	...	..	..	9	
..	..	..	..	...	...	1	1	..	...	250	
..	..	..	..	..	..	...	...	..	..	49	
4	..	..	..	...	...	..	...	..	..	75	
...	...	..	..	...	..	..	...	..	..	54	
...	..	..	...	..	..	...	...	..	..	41	
...	..	...	..	...	...	..	...	...	..	964	
..	..	..	..	..	..	..	..	..	..	17	
...	..	..	6	7	..	..	..	..	..	...	
...	..	..	..	..	...	...	..	...	..	..	
...	..	..	..	...	..	..	...	..	..	81	
...	.	...	2	2	..	..	..	..	..	154	
9	..	...	..	..	...	..	...	..	..	239	
..	..	...	..	..	..	..	..	..	..	354	
1	1	1	..	..	2	..	..	..	..	133	
...	..	..	..	..	..	..	..	..	...	40	
15	8	10	9	10	2	1	1	..	..	3 509	
27	18	23	7	12	2	4	7	2	5	4 086	

No. VII.

Statement of Process fees for the year 1872.

Courts.	Number of processes served.	Total process fees.			Expenditure. Pay of process serving establishments.			Expenditure. Miscellaneous.			Expenditure. Total.			Surplus.			Remarks.
1	2	3			4			5			6			7			8
		Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.	
Nagpur District ...	31,352	16,270	10	0	7,682	15	0	...	..	...	7,682	15	0	8,587	11	0	
Nagpur City Small Cause Court ...	19,722	4,578	3	0	2,712	0	0	...	...	..	2,712	0	0	1,866	3	0	
Kamthi Cantonment Small Cause Court ...	7,708	1,925	5	0	1,032	0	0	..	...	..	1,032	0	0	893	5	0	
Chanda District ...	7,426	3,317	8	0	2,564	2	5	...	...	.	2,564	2	5	753	5	7	
Bhandara „ ..	13,478	6,144	3	0	3,108	3	0	...	...	..	3,108	3	0	3,036	0	0	
Wardha „ ...	19,970	9,791	13	0	3,989	15	1	..	..	..	3,989	15	1	5,801	13	11	
Balaghat „ ...	3,682	1,898	10	0	1,124	0	4	..	...	...	1,124	0	4	774	9	8	
Jabalpur „ ..	13,913	6,889	15	0	3,211	8	0	...	...	..	3,211	8	0	3,669	7	0	
Jabalpur City Small Cause Court ..	9,919	2,184	0	0	1,005	0	4	...	...	..	1,005	0	4	1,178	15	8	
Jabalpur Cantonment Small Cause Court ...	1,646	358	10	0	216	0	0	...	...	..	216	0	0	142	10	0	
Sagar District ..	16,318	8,174	13	0	3,094	10	4	...	..	...	3,094	10	4	5,080	2	8	
Sagar Cantonment Small Cause Court ..	1,747	414	12	0	324	0	0	...	.	...	324	0	0	90	12	0	
Damoh District ...	6,034	2,850	7	0	2,080	9	11	...	..	...	2,080	9	11	769	13	1	
Seoni „ ...	7,651	3,970	0	0	1,926	3	0	..	...	...	1,926	3	0	2,043	13	0	
Mandla „ ..	2,356	996	8	0	789	15	11	..	...	..	789	15	11	206	8	1	
Hoshangabad „ ..	34,281	17,898	8	0	6,260	11	0	...	..	...	6,260	11	0	11,637	13	0	
Betul „ ..	12,972	5,985	7	0	2,776	9	8	...	...	...	2,776	9	8	3,208	13	4	
Nimar „ ..	25,831	11,639	5	0	3,259	15	3	...	...	..	3,259	15	3	8,379	5	9	
Assirgarh Cantonment Small Cause Court ..	449	111	6	0	66	0	0	..	..	...	66	0	0	45	6	0	
Narsinghpur District ...	30,284	14,972	7	0	4,153	0	5	...	...	..	4,153	0	5	10,819	0	7	
Chhindwara „ ...	13,435	6,258	14	0	2,815	15	7	...	.	.	2,815	15	7	3,442	14	5	
Raipur „ ..	9,558	4,613	4	0	2,408	4	3	...	...		2,408	4	3	2,204	15	9	
Sambalpur „ ..	5,237	2,134	11	0	993	11	6	...	..	...	993	11	6	1,140	15	6	
Bilaspur „ ..	8,779	3,841	10	0	2,197	9	6	...	...	...	2,197	9	6	1,644	0	6	
Upper Godavari „ ..	827	390	8	0	188	0	0	...	...	...	188	0	0	202	8	0	
Total ... 1872	*3,04,575	1,37,602	5	0	59,981	0	6	..	..	...	59,981	0	6	77,621	4	6	*Of these 21,944 were Revenue processes.
Total ... 1871	3,27,803	1,53,704	11	0	61,566	2	3	2	15	4	61,569	1	7	92,195	9	5	

IMPERIAL STATEMENTS.

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JUDICIAL STATEMENT B1.

Showing the various Judicial Tribunals, Original and Appellate, existing in the Central Provinces on the last day of the year 1872.

Classes of Tribunals, distinguishing those which exercise powers in one Department from those exercising powers in two or three Departments, and those consisting of paid from unpaid Judges.	Number of Judicial Divisions.	Average area of each Division in square miles.	Average population of each Division.	Number of Tribunals.	Constitution of Tribunals, stating number of Judges in each, and Jury or Assessors, if any.	Judicial powers of each Tribunal, Original or Appellate.	Total Number of Judges. European. Covenanted.	Total Number of Judges. European. Commissioned Military officers.	Total Number of Judges. European. Uncovenanted.	Total Number of Judges. Native.	Average annual salary of each paid Judge. European.	Average annual salary of each paid Judge. Native.	Total cost of Tribunals.	Net receipts from stamps.	Executive or other functions exercised by the same officer.	Average number of days in the year devoted to Judicial work.	Average number of Advocates attached to each Tribunal.	Number of cases decided during the year. Criminal.	Number of cases decided during the year. Civil.	Number of cases decided during the year. Revenue.	Number of cases decided during the year. Appellate.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
Local and Subordinate Magistrates exercising criminal powers only. — Paid ...	2	3,345	1,27,334	2	A single Judge presides over each Court; Jury or Assessors not employed.	Each Judge had powers of a Subordinate Magistrate of the 1st or 2nd Class under the Criminal Procedure Code. One Judge had power also to hold the preliminary enquiry into cases triable by Courts of Session.	..	1	1	..	6,000		Rs. [illegible]	Rs. [illegible]	The paid Judges are Civil Surgeons. One of them is also general Assistant to the Deputy Commissioner.	and general holidays.	in the Courts of the Central Provinces.	176	..	..	..
Unpaid ..	44	546	45,437	64			..	...	1	63								7,680	..	—	..
Local and Subordinate Magistrates, exercising Criminal Civil and Revenue powers. — Paid ..	51	1,692	164,166	56	Do.	Each Judge had on the Criminal side powers of a Subordinate Magistrate of the 1st or 2nd Class, under the Criminal Procedure Code, and on the Civil side power to hear suits of value up to Rs. 50, 100, 300, 500, 1,000, according to his powers under the Central Provinces' Courts' Act (XIV. of 1865), and had on the Revenue side the powers of a Deputy Collector under the Rent Law (Act X. of 1859, as amended by Act XIV. of 1863).	5	..	2	49	4,714	1,819			These officers are Tahsildars (Sub-Collectors), and Extra-Assistant and Assistant Commissioners. They are employed generally in the Administrative work of the districts to which they are attached.			9,731	24,864	—	..

Small Cause Courts confined to proper functions.	Paid ...	1	834	246,576	2	Ditto	One Judge had power to hear suits up to Rs. 1,600 under Act XI. of 1865, and the second Judge is Registrar of his Court, who, under the same Act, has been invested with power to hear suits up to Rs. 20.	..	1	..	1	10,400	3,000			..	286 days, excluding Sundays	43 Pleaders practise	..	4,935	..	..
Do. do. exercising also Criminal powers.	Paid ...	4	385	82,319	5	Ditto.	One of these Judges under Act XI. of 1865, and three under Acts XI. of 1865 and XXII. of 1864, had power to hear suits up to Rs. 500 in value. Four of these Judges exercise the powers of a Magistrate. The remaining Judge is the Registrar of one of the Courts, who himself had only Civil powers to decide suits up to Rs. 20.	..	4	..	1	7,698	1,920			Three of these Judges are Cantonment Magistrates.			994	5,710	...	..
Do. exercising also ordinary Criminal and Revenue powers.	Paid ...	1	10	11,128	1	Ditto	This Judge had on the Criminal side the powers of a Magistrate, and on the Civil side jurisdiction in suits not exceeding Rs. 500 in value, and of a nature cognizable by Courts of Small Causes. He had further been invested with the powers of a Collector under the Rent Act, except only the power to hear appeals. His jurisdiction as above is confined to Cantonment limits.	..	..	..	..	13,534	..			Cantonment Magistrate (Sagar).			341	672	...	..
Naib-Tahsildars, exercising only Civil powers.	Paid ...	9	997	1,20,203	9	Ditto.	Each Judge can hear suits up to Rs. 50 in value under Section 6, Act XIV. of 1865, "The Central Provinces' Courts' Act."	..	...	..	9	..	510			They assist Tahsildars in the general administration of the Sub Division of District (Tahsil) to which they are posted.			58	8,660	..	..
Benches of Magistrates ..	Unpaid .	1	3,734	6,39 341	6	Each board consists of two Magistrates; Jury or Assessors not employed.	Each Board exercises the full powers of a Magistrate under the Criminal Procedure Code.	..	..	..	6	..	..			Ditto.			311	..	...	..

JUDICIAL STATEMENT B. 1.—(*Continued*).

Classes of Tribunals, distinguishing those which exercise powers in one Department from those exercising powers in two or three Departments, and those consisting of paid from unpaid Judges.		Number of Judicial Divisions.	Average area of each Division in square miles.	Average population of each Division.	Number of Tribunals.	Constitution of Tribunals, stating number of Judges in each, and Jury or Assessors, if any.	Judicial powers of each Tribunal, Original or Appellate.	Total number of Judges. European. Covenanted.	Commissioned Military Officers.	Uncovenanted	Native.	Average annual salary of each paid Judge. European.	Native.	Total cost of Tribunals.	Net receipts from Stamps.	Executive or other functions exercised by the same officer.	Average number of days in the year devoted to Judicial work.	Average number of Advocates attached to each Tribunal.	Number of cases decided during the year. Criminal.	Civil.	Revenue.	Appellate.
1		2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
Magistrates of full powers, exercising only Criminal powers.	Paid ...	3	1,245	2,13,647	3	A single Judge presides over each Court; Jury or Assessors not employed.	The full powers of a Magistrate under the Criminal Procedure Code.	..	2	1	...	No special salary for Judicial duty.		[illegible]	[illegible]	The paid Judges are the Superintendent of the Thaggi School of Industry Jabalpur, a Civil Surgeon and an Assistant Cotton Commissioner.	236 days, excluding Sundays and general holidays.	43 Pleaders practise in the Courts of the Central Provinces.	7	..	..	..
	Unpaid.	3	2,960	4,38,912	4			..	..	..	4								1,234	..	..	..
Do. exercising also Revenue and Civil powers.	Paid...	20	4,373	4,19,888	30	Do.	In addition to full Magisterial powers as above each of these Judges can hear Civil Suits up to Rs. 1,000 or 5,000 in value according to his powers under Act XIV. of 1865, and has on the Revenue side the powers of a Deputy Collector under the Rent Law.	6	2	6	16	6,554	4,518	Rupees.	Rupees.	These officers are Assistant and Extra-Assistant Commissioners, and aid Deputy Commissioners in the general administration of the Districts to which they are posted.			6,359	26,911	..	...
Magistrates of Districts exercising also Revenue and Civil pwers.	Paid...	19	4,469	4,16,905	19	Do. except in cases tried by Deputy Commissioners as Sesions Courts, under their special powers, when two assessors assist in trying each defended case.	In addition to full powers as above, these officers hear appeals from convictions by Sub-Magistrates. Also 18 of them were invested with special powers under Section 445A, of the Criminal Procedure Code, to try all offences not punishable with death. On the Civil side they can try suits up to any value, and hear appeals from the decisions of the Subordinate Civil Courts of their districts of the four lowest grades specified in Act XIV. of 1865. On the Revenue side they have the powers of a Collector under the Rent Law.	3	12	4	...	13,634	..	...	...	These officers are Deputy Commissioners invested with the administrative charge of districts.	...	..	1,466	275	...	2,116

Commissioners' Courts.	Paid...	4	21,412	20,13,389	4	A single Judge presides over each tribunal. He is assisted by two Assessors when trying defended Sessions cases (Criminal).	These officers preside on the Criminal side over Courts of Session, and try heinous offenders committed by Magistrates to their Courts for trial, and likewise hear appeals from the orders of Magistrates with full powers. On the Civil side, Commissioners have no ordinary original jurisdiction, but under Act XIV. of 1865, hear appeals in all suits in which the value is Rs. 5,000 or more, and they also hear appeals from the judgments of Collectors and Deputy Collectors in certain suits under Act X of 1859 (the Rent Act). They have also special original jurisdiction under Act IV of 1869, the Indian Divorce Act, and Act X. of 1870, the Land Acquisition Act. In the Revenue Department they are Commissioners of Division and hear appeals from orders of Collectors under the Rent Law.	2	2	..	..	31,398	..			Commissioners have administrative charge of Divisions consisting of several Districts.		80	...	...	1,632
Court of the Judicial Commissioner.	Paid...	1	85,648	80,53,556	1	A single Judge presides over this Court unassisted by either Jury or Assessors. The Judicial Commissioner's Court is the Chief Appellate Court in Criminal and Civil cases, hearing on the Criminal side appeals from the orders of the Courts of Session and of Deputy Commissioners in cases tried by them as Courts of Session, and on the Civil side special appeals from decisions passed on appeal by Deputy Commissioners or Commissioners. In Criminal cases the Judicial Commissioner has also the powers as a Court of reference and revision given by the Code of Criminal Procedure to the Sudder Court.	...	1	..	...	38,000	...	..	..	..	286 days excluding Sundays and general Holidays.	43 Pleaders practise in the Courts of the Central Provinces.			332

ABSTRACT.*

Number of Criminal Courts.	
Local and Subordinate Magistrates	129
Magistrates with full powers	32
Benches of Magistrates	3
Magistrates of Districts	19
Courts of Session	4
Court of the Judicial Commissioner	1
Total	188

Number of Civil Courts.	
Small Cause Courts	6
Courts of the Naib Tehsildar	9
Courts of the Tehsildar	38
Courts of the Assistant Commissioner	23
Courts of the Deputy Commissioner	19
Courts of the Commissioner	4
Court of the Judicial Commissioner	1
Total	100

*Under Administrative arrangements Officers exercising both Magisterial and Civil powers are sometimes employed only as Criminal, and sometimes only as Civil Judge, and sometimes as both. This abstract shows the actual number of Judges employed as Criminal and as Civil Judges at the close of the year.

JUDICIAL STATEMENT B. 6—(*Civil.*)

STATEMENT showing the number and description of Civil suits instituted in the Courts of original Civil Jurisdiction in the Central Provinces in the year 1872.

Class of Tribunals.	Money due.						Rent, not falling under the Rent Law.	Recovery of personal property or value thereof.	Damages.				Suits for immoveable property.	Suits for specific performance of contract.	Suits to declare and establish rights to real property, including pre-emption, foreclosure, &c.	Suits to declare and establish personal rights.	Suits for an account.	Suits relating to religious endowments.	Suits to set aside judgments, contracts or obligations on the ground of fraud.	Suits for dissolution of marriage.	Suits for enforcement of matrimonial rights.	Suits for partition.	Suits relating to shipping.	Suits relating to religion and caste.	Remarks.
	On written promise for sum certain.	On unwritten promise for sum certain.	On account stated.	For money paid or received.	For goods sold and delivered.	For breaches of contract not included in the above.			For injuries to person, attended with direct or actual pecuniary damages.	For injuries to property.	For defamation.	For other injuries not included in the above.													
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26
Small Cause Courts ..	5,444	1,403	251	237	2,859	701	249	181	5	70	..	55	..	..	...	..	...	..	...	..	..	..	..	..	11,455
Sub-Divisional Courts...	15,575	6,402	739	699	2,745	1,136	389	2,165	30	408	55	319	709	26	47	101	44	3	7	20	39	11	..	4	31,673
District Courts ..	14,761	3,729	793	331	4,098	925	342	1,560	37	195	26	188	1,038	52	164	124	141	1	33	30	88	25	..	2	28,683
Superior Courts ..	..	..	...	...	..	..	..	...	..	...	..	...	...	..	..	..	...	..	..	.	..	..	..	..	..
Total .. 1872..	35,780	11,534	1,783	1,267	9,702	2,762	980	3,906	72	673	81	562	1,747	78	211	285	185	4	40	50	127	36	..	6	71,811
Total .. 1871..	38,782	9,738	4,101	2,885	6,352	3,050	931	5,032	126	780	112	866	1,893	113	224	472	274	18	56	72	136	56	..	15	76,092

Note, According to Statement B. 8 the total number of suits instituted, including those received by transfer was 73970. Of these the following are omitted from the classification Statement.

Suits transferred	38
Plaints rejected or returned	388
Suits reinstituted on same plaint	1,734
	2,150

JUDICIAL STATEMENT B. 7—(*Civil.*)

STATEMENT showing Value of Suits disposed of in the Civil Courts of the Central Provinces in the year 1872.

Value of Suits.	Number of Suits disposed of in different Courts.							Remarks.
	Small Cause Courts.	Sub-Divisional Courts.		District Courts.		Total number of Suits.	Total value of Suits.	
		Naib Tahsildars.	Tahsildars.	Assistant Commissioners.	Deputy Commissioners.			
1	2	3	4	5	6	7	8	9
Not exceeding Rupees. 5.	2,359	1,634	3,748	3,760	42	11,543	35,790	
Do. 20.	4,629	4,047	7,550	8,895	65	25,186	3,12,649	The total number of suits disposed of according to Statement B. 8 was 72,542
Do. 100.	3,589	2,979	8,973	11,025	69	26,635	100,5,713	
Do. 500.	707	...	1,997	3,460	33	6,197	116,9,592	Of these the following are omitted from this Statement.
Do. 1000.	83	..	..	474	5	512	3,60,135	
Do. 5000	..	..	...	300	15	315	61,2760	Suits transferred. 38
Do. 10,000	..	.	.	..	29	29	20,6135	Plaints rejected or returned. .. 388
Do. 100,000	..	..	..	..	17	17	49,9276	Suits reinstituted on same plaint and disposed of 1682
Exceeding Rupees. 100,000	..	..	...	..	..	..	..	Total ... 2,108
Total 1,879	11,317	8,660	22,268	27,914	275	70,434	41,12,050	
Total 1,871	11,616	7,473	25,560	30,782	216	75,647	47,53,088	

JUDICIAL STATEMENT B. 8.—(*Civil.*)

STATEMENT showing the General Result of the Trial of Civil Suits in the Courts of Original Jurisdiction in the Central Provinces in the year 1872.

Class of Courts.	Suits remaining from last year.	Filed in this year	Received by transfer.	Total for disposal.	Transferred to other Courts	Plaints rejected or returned	Dismissed for default.	Withdrawn with leave.	Compromised.	Decreed on confession.	Decreed ex parte.	Dismissed ex parte.	Contested. Judgment for Plaintiff in whole or part	Contested. Judgment for Defendant	Total disposed of.	Pending.	Over two months.	Over four months	Average duration of suits. Contested.	Average duration of suits. Uncontested.	Referred to arbitration.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
Small Cause Courts.	181	11,597	1	11,779	25	26	1,668	193	2,079	2,881	1,456	43	2,382	710	11,463	316	..	.	13·0	11·5	133
Sub-Divisional tribunals. ...																					
District Courts, other than Chief Courts of Districts.	826	32,729	1	33,556	4	161	6,629	329	5,625	8,731	3,827	118	4,734	1,799	31,957	1,599	32	..	26·	17·3	215
	1,182	29,410	8	30,500	5	195	4,939	419	3,924	6,711	5,361	80	5,166	2,026	28,826	1,674	39	4	28·1	20·9	178
Chief Courts of Districts.	8	319	5	332	4	8	51	2	24	42	24	1	96	44	290	36	7	5	52·5	32·7	7
Total 1872.	2,197	73,955	15	76,167	38	390	13,287	943	11,652	18,365	10,668	242	12,378	4,579	72,542	3,625	78	9	28·1	17·5	533
Total 1871.	1,717	78,088	15	79,820	28	281	12,178	1,111	12,068	21,202	12,380	464	12,706	5,205	77,623	2,197	30	1	18·6	13·0	608

B. k Z. O.—31—350—360.

JUDICIAL STATEMENT B. 9.—*(Civil.)*

STATEMENT showing the business of the Civil Appellate Courts of the Central Provinces in the year 1872.

Class of Courts.	Remaining from previous year.	Instituted during the year.	Received by transfer.	Total.	Transferred.	Dismissed for default under Sections 5 and 6, Act XXIII. of 1861.	Heard exparte. Confirmed.	Heard exparte. Modified.	Heard exparte. Reversed.	Contested. Confirmed.	Contested. Modified.	Contested. Reversed.	Contested. Remanded.	Total disposed of.	Pending.	Over two months.	Objections under Section 348, Act VIII. of 1859.	Objections allowed.	Remarks
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
Chief Appellate Courts of Districts ..	50	1,149	2	1,201	2	86	34	3	16	543	82	240	125	1,131	70	6	..	..	
Superior Appellate Courts other than Chief Court of Province ..	240	1,174	...	1,414	...	139	105	13	48	491	78	148	135	1,157	257	108	11	5	
Chief Court of Province ..	29	95	...	124	...	4	6	2	4	39	4	16	41	116	8	..	..	..	
Total.. 1872...	319	2,418	2	2,739	2	229	145	18	68	1,073	164	404	301	2,404	335	114	11	5	
Total.. 1871...	286	2,705	..	2,991	1	237	157	14	48	1,312	146	423	331	2,669	322	72	11	6	

JUDICIAL STATEMENT B. 10—(*Civil.*)

STATEMENT showing the Execution of the Decrees of the Civil Courts of the Central Provinces during the year 1872.

Class of Courts.	Applications to execute decrees.				Decrees completely executed.	Partially executed.	Pending at the end of year.	Nature and number of coercive processes issued.						REMARKS.
									Moveable property.		Immoveable property.			
	Pending from previous year.	Filed in the year.	Received by transfer.	Total.				Imprisonment of person.	Attached.	Sold.	Attached.	Sold.	Under Section 243, Code of Civil Procedure.	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Small Cause Courts	228	6,686	10	6,324	1,711	1,376	278	288	1,189	566	..	...	..	* 14, 691 cases were struck off without execution effected
Local and Sub-Divisional Courts .	1,331	13,573	94	14,998	4,572	3,789	1,416	216	5,645	2,154	2,794	1,305	24	
District Courts ..	1,834	17,329	337	19,500	6,210	4,154	2,625	441	4,405	2,254	3,378	1,526	159	† Besides these there were 47 temporary alienations under Section 244, Act VIII. of 1859.
Superior Courts ..	...	..	.	..	..	..	..	..	...	...	...	..	..	
Total 1872..	3,393	36,988	441	40,822	12,493	9,319	*4,319	945	10,639	4,974	6,172	2,831	†183	
Total 1871..	2,791	41,745	712	45,248	14,838	10,818	3,107	1,141	10,977	4,703	6,929	3,012	22	

JUDICIAL STATEMENT B 11.—(*Civil*).

STATEMENT showing use of Juries and Assessors in the Civil Courts of the Central Provinces in the year 1872.

Classes of Courts in which Juries or Assessors are employed, distinguishing Criminal from Civil Courts.	Established or average number of Jury or Assessors in each case and prescribed qualifications.	Number of cases tried by Jury.	Number of cases with Assessors.	Jury trials.			Assessors' trials.		Note showing in what classes of cases Juries and Assessors have been principally employed.	Remarks.
				Verdict in favour of the prosecutor or plaintiff.	Verdict in favour of the accused or defendant.	Jury discharged without verdict.	Number of cases in which Judges agreed with Assessors.	Number of cases in which Judges differed from Assessors.		
Civil Courts (Blank).										

B. E. Z.—26—207—360.

No. $\frac{845}{43}$

FROM

J. W. CHISHOLM, ESQ.,

OFFG. SECRETARY TO THE CHIEF COMMISSIONER,

Central Provinces,

To

THE REGISTRAR,

JUDICIAL COMMISSIONER'S COURT,

Central Provinces.

Dated Nagpur, the 14th March 1874.

SIR,

I am directed to acknowledge the Report of the Judicial Commissioner on the administration of Civil Justice in the Central Provinces, No. 246, dated 14th instant, and to communicate the following remarks of the Chief Commissioner on the different points and results calling for comment.

Section A.—The Tribunals.

2. Under this section you have treated of all that relates to the constitution and machinery of the Courts and the conduct of business, in so far as these required review in connection with the proceedings of the year. At the close of the year there were 119 Courts open for the trial of Civil suits, compared with 100 such Courts in the previous year. This has resulted from the new distribution of Civil business prescribed by Chief Commissioner's Book Circular II. of 1873. At head-quarter stations the pressure of Judicial work has been removed from the Court of a single Assistant Commissioner, and been divided ordinarily between two Courts, *viz.*, the Court of a Tahsildar and of an Assistant Commissioner. The adoption of this course was absolutely necessary, and has contributed to the more efficient general administration of districts. The Chief Commissioner considers that so long as Judicial and Administrative duties fall to be discharged by the same officers the direction which the distribution of Civil business must take, is that "every suit shall be instituted in the Court of the lowest grade competent to try it," as required by the Central Provinces' Courts' Act; and it follows that wherever Tahsildars are unable to cope satisfactorily with the amount of Civil litigation filed before them, the alternative of investing selected Naib Tahsildars with Civil powers is one that may suitably be extended, and so far as already applied has been of great public convenience.

3. Unless indeed the number of Officers was increased the alternative is one which must be accepted, and the Judicial Commissioner's remark on the subject is appropriate "that under the present circumstances of the Judiciary of "these Provinces, Naib Tahsildars' Courts are sometimes a necessity." The complaint then that at certain points Tahsildars are overwhelmed with Civil suits to the detriment of other more important duties admits of easy remedy, and the Chief Commissioner concurs with the Commissioner, Narbada Division, that more selected Naib Tahsildars may fairly be trusted with certain Judicial functions as the petty suits under Rs. 10 in value which they would have to dispose of are really of a kind—placing the matter on the lowest ground—which would not ordinarily offer many temptations. They have every motive to rectitude, enjoying the distinction of selection for powers and the prospect of promotion, while as a fact they belong in the main to the same class as Tahsildars. There is no reason, therefore, for supposing that any necessary increase in the number of Naib Tahsildars' Courts will have any tendency to bring discredit on our Judicial system.

4. The requirements remaining to be met for Courts, Record-rooms, and Malkhanas are, no doubt, urgent in their nature, and are gradually being provided for. A simultaneous attention to such calls is of course impossible ; but each year sees some progress, and so far as funds are available the pressing wants of different districts receive attention.

5. The Law libraries of different Courts are now for all practical purposes fairly complete, and all deficiencies brought to notice are as far as possible supplied. In the matter of Judicial forms a tendency towards indiscriminate waste has been noticed, and the Judicial Commissioner has recently agreed to have District indents carefully checked in his office. A full supply of forms is no doubt essential for the proper conduct of Judicial business ; but the expenditure under this head of late years has been heavy, and the extravagance is of a kind which does not admit of ready scrutiny. In connection with the bad style of work executed by the Jail Presses, a special communication will be addressed to the Inspector General of Jails, so that measures may be taken for improvement

6. There are 46 Pleaders now practising in the Courts, compared with 43 in the previous year. The Chief Commissioner is glad to have the assurance of the Judicial Commissioner that "nothing new has come to light showing the "need of any measures of a repressive or restrictive kind as regards the admis-"sion and use of Pleaders." The practices which the Chief Commissioner formerly noticed and considered objectionable, were conducting the suits of large Firms on contract, and employing "touts," devices calculated to foment litigation and operate to the prejudice of the poor and ignorant. The tone of the local bar at Jabalpur is expected to improve, owing to the arrival of two Barristers, who receive much of the practice ; but as yet old customs exercise a powerful influence, for the Deputy Commissioner states "that when a case "of large value turns up there is a scramble among the Pleaders to get it" and they seem to compromise for all kinds of terms.

7. A great check on the useless employment of Pleaders, and on the under-hand efforts of the most unscrupulous to get employed, has followed the issue of the Judicial Commissioner's instructions to the Courts requiring that Pleaders' fees should only be allowed as costs when shown by the circumstances of the case to have been *necessarily* incurred. Due effect has not apparently been given to the orders in the Sagar and Damoh districts, and in the Nagpur Division ; but the point is one of great importance to suitors, and merits the persistent attention of Deputy Commissioners as controlling officers of the Civil Courts in each district. At Jabalpur not only has the order as to disallowing an expenditure for Pleaders' fees as costs unless necessarily incurred, had an influence in checking the useless employment of Pleaders, but in cases of small value Pleaders have ceased to press for employment as the suits are heard in a different Court, *viz.*, at the Tahsil, so that in this respect advantage to persons sued has resulted from the present distribution of Civil work, and in most petty suits the heavy pressure of costs has doubtless been sensibly reduced.

8. The Civil Courts were open for a larger number of days in 1873 than in the previous year, owing to the annual vacation in December, including the Christmas holidays. The Commissioner of Nagpur suggests "that in districts "where there is little Civil business vacations should be much more fre-"quent or the single vacation much longer." The question is one which could only be considered in reference to particular localities, and any proposal for closing a Tahsildar's Court where Civil litigation was limited for a longer period than the ordinary vacation, so that general Administrative duties might receive attention, would in the Chief Commissioner's opinion be deserving of sanction. No doubt practically a Tahsildar who has only a few cases a month

is not tied down to his head-quarters, and in fact constantly moves about in his Tahsil. If so, the fact may as well be recognised, and the cases reported where Tahsildars' Civil Courts might be conveniently kept open for only certain months of the year. In connection with the Civil Court vacation, the Commissioner, Jabalpur, raises the question whether June or July would not be the most convenient month, in order to relieve the agricultural classes from being harassed by creditors when sowing operations urgently claim their attention. He says the Deputy Commissioner, Seoni, writes : "It will be seen that the "months of June and July have the pre-eminence "this* way. It was the same last year, and it is a "significant fact. The reason I believe is this. It is very often necessary for "the cultivator to set his seed into the ground within the space of a week at "the beginning of the rains The Banya knows this well enough and he at once "rushes into Court with a suit, and drags the cultivator from his fields or extorts "ruinous terms from him." The Commissioner adds : "There is some "evidence in confirmation of this inference in other District Reports, but not "by any means enough so far to establish it. It may, however, be thought "worthy of further enquiry, as if there be foundation for it it would point to the "necessity for closing the Civil Courts in June or July instead of in December.

*i e., as regards institution of suits.

The Chief Commissioner considers that the question thus raised merits further inquiry, and he would ask the Judicial Commissioner to ascertain whether in the rice-growing districts of these Provinces tangible hardship is experienced by the agricultural classes owing to suits brought by creditors in the Civil Courts when time presses at the sowing season.

Section B.—Extent and character of litigation.

9. In all the Courts of the Province there were instituted 74,594 suits in 1873, compared with 73,955 suits in the previous year. There has, therefore, been a slight increase of litigation, though the figures remain considerably below the heavy proportions which Civil litigation had assumed in 1871. Although, however, as regards the extent of litigation, the general result for the Province remains much the same as in 1872 ; the fluctuations in different districts are in some cases most marked and have been fully detailed by the Judicial Commissioner in paragraphs 15 to 17 of the Report. A noticeable feature is the large decrease of litigation in the Nimar District, which has hitherto year after year presented as a rule a steady rise in litigation and to a large extent in suits of a petty kind. The present year's decrease is attributed in the main to a more efficient control of the procedure of the subordinate Courts in the matter of decreeing in instalments, disallowing unnecessary costs, sifting claims to interest, and on other points impressed on the attention of all Courts by the special instructions of the Judicial Commissioner. In some other districts, notably Jabalpur, where a decrease in the amount of litigation has also resulted, a scrutiny of the proceedings of subordinate Courts has probably been attended with favourable consequences to the ignorant class of defendants who form so large a section of persons sued. But the Chief Commissioner greatly fears that this control of the action of the subordinate Courts is not yet general, and that many controlling officers trust to the machinery itself of our Civil Court system to work beneficially, without watching the details of its working in order to modify the "hard and fast" line of settled routine in which Native Courts especially are liable to rest content.

10. The actual fluctuations of litigation in different districts are variously accounted for. The Chief Commissioner concurs in the remark of the Judicial Commissioner, that while such "fluctuations originate in both the goodness and bad-"ness of the times, there is reason to conclude that in a degree they are also "influenced by Judicial weakness and vigour." An instance of Judicial weakness is shown in the case of Narsinghpur, specially mentioned in paragraph 36 of the

Report, and may perhaps be furnished by Damoh, where litigation greatly increased and where the Deputy Commissioner's explanations of the results are described as inapt—a fact apparently attributable to the course of litigation as it progressed during the year not having been watched and understood. As remarked by Mr. Grant, Commissioner, Jabalpur Division, the real facts as regards litigation can scarcely be deduced from the figures of any single year. They can be judged more fairly by cycles of years. In these Provinces the tendency has been to increase, and chiefly in the direction of utilizing the Courts as a convenient agency for collecting petty debts, An impetus was probably given to this tendency by the action of the Courts themselves in passing too readily *ex parte* decrees, accepting one-sided compromises, acting hastily on confessions, allowing unnecessary costs, and in all that part of their procedure which plaintiffs readily appreciated. In so far as proceedings of this kind stimulated litigation the Courts have been instructed specially by the Judicial Commissioner, and if Supervising Officers see that these instructions are carefully followed the fluctuations which arise will represent nothing more than the natural tendency towards increase or decrease, as the case may be. Whether an ever advancing number of Civil suits is in itself a good sign, when such increase is in no way fostered by the attitude of our Courts or our general Judicial system, is a matter on which experienced officers offer different opinions. The Judicial Commissioner quotes Mr. Jones, the Commissioner of Nagpur, who, looking at the districts in his Division, and taking the figures of Judicial business from 1868 to 1873, inclines to the view "that increase in litigation in each district bears a direct ratio to "its advance in general prosperity." But the table given at paragraph 13 of the Judicial Commissioner's Report for the whole Province would scarcely bear out this view, for in many districts where there has been a steady rise in litigation this has occurred owing to heavy indebtedness among the agricultural classes, while this again has resulted partially from recklessness, but also from a succession of more or less unfavourable seasons. The Chief Commissioner has had a Statement prepared which is given in the margin showing the proportion of Civil litigation to population in each district of the Province, and the figures certainly prove that the Civil Courts are less resorted to in the more backward districts. This may arise from the simpler character of the people requiring less pressure to enforce legitimate claims, or it may indicate an absence of capital and a limitation of credit owing to the general absence of tangible security. Doubtless the actual amount of litigation everywhere is subject to many influences difficult to trace, and in a native community mere custom has much force; still in each district the causes of fluctuation deserve to be carefully studied. As yet the facts on the subjects are incomplete,

NAGPUR DIVISION.	Nagpur	...	Average of	1	suit for every	44	of the population.
	Chanda	.	"	1	"	256	"
	Bhandara	...	"	1	"	211	"
	Wardha	...	"	1	"	58	"
	Balaghat	...	"	1	"	170	"
	Divisional Total	...	"	1	"	86	"
JABALPUR DIVISION.	Jabalpur	...	"	1	"	112	"
	Sagar	..	"	1	"	159	"
	Damoh	.	"	1	"	133	"
	Seoni	..	"	1	"	235	"
	Mandla	...	"	1	"	322	"
	Divisional Total	...	"	1	"	156	"
NARBADA DIVISION.	Hoshangabad	.	"	1	"	54	"
	Betul	...	"	1	"	86	"
	Narsinhgpur	..	"	1	"	51	"
	Chhindwara	...	"	1	"	87	"
	Nimar	.	"	1	"	25	"
	Divisional Total	...	"	1	"	52	"
CHHATTISGARH DIVISION.	Raipur	...	"	1	"	418	"
	Sambalpur	...	"	1	"	355	"
	Bilaspur	...	"	1	"	350	"
	Divisional Total	...	"	1	"	379	"
Upper Godavari District		...	"	1	"	201	"
	Grand Total	...	"	1	"	108	"

though when it is considered that so very large a portion of the suits filed are of small value, it may fairly be assumed that most of the litigation arises from the limited resources and general poverty of the great mass of the people.

11. The petty character of the litigation is a constant feature of the returns, though the average value of suits shows some advance in 1873, and stands at nearly Rs. 65. Out of every 100 cases disposed of, however, 16 were suits for sums not exceeding Rs. 5 in value, 35 for sums not exceeding Rs. 20 38 for sums not exceeding Rs. 100, and 10 per cent only for sums over Rs. 100. In other words more than half the suits filed are for sums not exceeding Rs. 20 taking the average of the whole Province, while in individual* districts the proportion of small value suits is much higher. Then as to the character of the litigation, nearly 50 per cent of the cases are suits for money due on written obligation, 16 per cent parole debts, and 13 per cent on account of goods sold. From the table given at paragraph 27 of the Report it is clear that the bulk of the petty suits for sums not exceeding Rs. 5 are claims on account of goods sold, so that most of the claims under this head relate to small retail transactions, and not in any sense to important mercantile dealings. As regards the general character of the litigation of the Province in reference to the value of the suits filed the table is instructive and is quoted :—

* Nagpur, Bilaspur, Sambalpur, Chhindwara and Balaghat.

Description of Suits.	Number.	Percentage of					
		Suits not exceeding				Suits above.	Total.
		Rs. 5.	Rs. 20.	Rs. 100.	Rs. 500.	Rs. 500.	
On written obligation ...	37,028	3 9	32·9	50·2	11·5	1·5	100
On unwritten obligation ...	12,409	27·5	43·5	24·4	4·2	·6	100
For goods sold and delivered	9,555	41·6	40·3	15·5	2·4	·2	100
For moveable property or value ...	6,519	15·6	37·8	36·8	8·8	1·	100
Damages ...	1,773	17·1	36·4	39·2	6·1	1·2	100
Immoveable property ...	2,370	16 8	28·	35·1	15·4	4·7	100

On the results thus exhibited the Chief Commissioner has nothing to add to the comments made by the Judicial Commissioner, though there are two points on which the Chief Commissioner would have been glad of information under this section, viz., the pressure of costs with reference to value, and the proportion of the aggregate claims which relate to transactions between bankers, traders, shopkeepers, &c. and agriculturists. In regard to costs it is important to know how far they are enhanced, and in what nature of cases, by the employment of Pleaders; also what proportion they bear to value in petty cases, and in what Courts the tendency exists unnecessarily to admit them against defendants. Again in regard to the debts of agriculturists the pressure is greater in some districts than others, and the Civil Court statistics on the subject would be of use to the Administration. A detail of the kind might prevent mistaken inferences attributing an advance in litigation to trade activity when obviously due to other causes. An instance in point in the Report under review is Narsinghpur on which the Judicial Commissioner has commented, and where a supposed activity of trade transactions may really mean an increasing range or heavier pressure of indebtedness amoung the agricultural community.

12. Where so large a portion of the litigation relates to suits of small value and is simple in character, the present distribution of business between Courts of the lower and higher class seems appropriate. An absolutely larger number of cases has been dis-

Section C.—The distribution and disposal of Civil Suits.

posed of by Tahsildars, but then this results from so large a portion of the suits filed being for sums not exceeding Rs. 20. The policy of relieving Courts of the higher class from adjudicating petty claims of this kinds has been approved by Government, and is of advantage to the general administration, which has to judge of the comparative importance of the duties which officers of different grades are capable of rendering in connection with all branches of public business both Judicial and Executive. In any such estimate suits of the kind mentioned cannot occupy a high relative place, and it is believed that Courts of the lower class are fully capable of disposing of them in a satisfactory manner. There is a strong feeling in favour of the existing arrangements for distributing Civil business among Commissioners and other officers, and the inconveniences that occasionally arise relate to the pressure in certain districts on individual Courts. This does not affect the suitability of the general system to the circumstances of these Provinces, but is a matter of detail which Deputy Commissioners and Commissioners can in each case readily arrange with reference to the agency available for the business of all kinds requiring to be disposed of.

13. Taking the Civil Judicial work as now distributed, out of every hundred cases, 15 were disposed of by Small Cause Courts, 11 by Naib Tahsildars, 45 by Tahsildars, 27 by Assistant Commissioners, and less than one per cent by Deputy Commissioners. The Judicial Commissioner notes the downward tendency of suits to the Courts of the Naib Tahsildar, but as a fact these Courts decided fewer suits in 1873 than in 1872, and the apprehensions on this point are unlikely to be realized, for the proportion of suits transferred in any locality to Courts of this class admit of ready check and control. It is indeed only exceptionally that selected Naib Tahsildars are invested with powers, and wherever this course may be adopted its justification will consist in the pressure of Judicial work of a petty kind.

14. The general results of the trial of the 75,603 suits disposed of are minutely analyzed by the Judicial Commissioner in paras. 32 to 38 of the Report. The number of contested suits has advanced from 23 per cent in 1872, to 26 per cent for the past year, accompanied by a marked decrease in the number of cases decreed *ex parte*,—results which must be regarded as satisfactory if, as remarked by the Judicial Commissioner, they have arisen "from defendants having now "a somewhat greater hope of benefit by appearing and contesting claims made "against them engendered by less perfunctory treatment of petty cases by "the Courts." Looking, however, at the table given at para. 31 of the Report which shows in some Districts and Courts an exceptionally small portion of contested suits the Chief Commissioner fears that all the Courts cannot be exonerated from some perfunctoriness of treatment tending to swell the number of compromises, confessions, *ex parte* decrees, &c., and by comparison to diminish the suits contested. No doubt the actual results of trials are much "influenced by the particular manner in which individual Judges address them-"selves to the disposal of business," still a mere difference of Judicial method does not satisfactorily explain such marked contrasts in the manner in which suits were disposed of as are presented by the Small Cause and Cantonment Courts of Nagpur and Jabalpur. In the former only 22 and 23 per cent of the cases decided were contested, while at Jabalpur the proportion of contested suits in the Small Cause Court was 48 out of every 100, and in the Cantonment Court 56 per cent. There would appear here to be some special causes at work connected either with the nature of the institutions, or with the classification of cases, and the matter is one which the Chief Commissioner would be glad to see enquired into and cleared up.

15. The average duration of suits has been much the same as in 1872, viz, 27·6 days in contested and 19 days in uncontested cases. In some districts there

is obviously room for improvement, for although anything like pressure to ensure short durations is objectionable, a system of dilatoriness in disposing of cases is a discredit to any Court, and is needlessly harassing to litigants. The pending file at the end of the year was not large, and only 6 suits had been pending for more than 4 months.

16. The Chief Commissioner would commend to the careful attention of all Deputy Courts and Subordinate Courts the comments of the Judicial Commissioner on the general results of trials. It is the duty of supervising Courts to see that the instructions from time to time issued with the view of preventing the action of the Courts from being one-sided in favour of plaintiffs are duly carried out. The reports this year show that in most cases a fair control has been exercised, but when defects have been pointed out a remedy should at once be applied, and thus one of the main objects of a periodical review and comparison be attained.

Section D—The appellate business.

17. The number of appeals has increased from 2,323 to 3,172, chiefly owing to the transfer of appeals in petty cases from the Courts of the Commissioner to those of the Deputy Commissioner. The Chief Commissioner does not consider that this is a result to be regretted, as in this particular class of cases the proximity of an Appellate Court is a convenience to litigants and an immediate and healthy check on the proceedings of the lower Courts of original jurisdiction. The remoteness of the Commissioner's Court under the former system may in petty cases as regards outlying districts have been practically too great a restriction on appeals, and in individual cases proved a hardship. Fears are expressed that the appellate work in some districts will be too much for the Deputy Commissioner to undertake. Such cases, however, will be exceptional and will require to be specially dealt with. In one or two districts it may indeed eventually be necessary to make some special arrangements, but in the majority of districts, in the opinion of the Chief Commissioner, the Deputy Commissioners can well take up the appellate work without interfering with their other general duties, for as Civil Courts of original jurisdiction they have only a small number of suits. The manner in which the appellate work was disposed of has been fully remarked on by the Judicial Commissioner, and the marked variations in the proportion of confirmations and reversals in different districts are difficult to reconcile. In the Commissioners' Courts there were 55 per cent of the cases in which the orders of the lower Court were confirmed, and in only 14 per cent were they reversed. In the special appeals made to the Judicial Commissioner the results were not so favourable, for in 17 cases only out of 80 were the orders of the lower Court confirmed. In 125 cases, however, special appeals were rejected after an examination of the proceedings, and in most these cases the order of rejection was practically an approval and confirmation of the decision of the lower Courts. This explains the large proportion of reversals by the Judicial Commissioner in cases where special appeals were admitted.

Section E.—The execution of decrees.

18. There is nothing special requiring remark in connection with the execution of decrees. The amount of execution business somewhat increased, and in 58 per cent of the cases execution was completely or partially effected. It is satisfactory to find that the number of verbal executions has decreased, as the procedure in such cases is so summary as to operate harshly on debtors. Excessive recourse to imprisonment, which has been the practice in some districts, is to be regretted; although taking the whole Province there has been some decrease in the number of persons imprisoned in execution of decree. The amount of ancestral property in land sold in execution of decree is not in itself large, but the same process continues uninterruptedly year after year, and it is to be feared alienates the sym-

pathy and good-will of the landholding community. The whole question is under careful enquiry, and if there are facts to justify action some special legislative measure will be proposed to the Government of India.

19. The Chief Commissioner misses in the reports any detail of the nature of the scrutiny exercised by Commissioners and other supervising officers over the proceedings of the lower Courts. The statistics of the year have been closely analysed, and abnormal results which remain unexplained as regards individual Courts duly commented on. But how far decided cases of the Courts have come under regular inspection during the year with the view of testing procedure and correcting general defects of system is nowhere mentioned. It is only indeed by an occasional inspection of the decided files of Courts that an assurance can exist that the orders as to procedure especially in uncontested suits are being thoroughly carried out. The contested suits must receive attention and they are all liable to be brought under review by an Appellate Court. But the fear of superficiality and haste in uncontested suits is real, and has in a special Circular been pointed out to the Courts by the Judicial Commissioner. The Commissioner of Nagpur, Mr. Jones, writes :—" I know how strong the tempta- " tion to a hard worked Judge is to record as confessions, statements which a little " questioning would show to be given under some misapprehension." The same tendency exists in cases compromised, and under these two heads half the cases filed in some Courts are shown as disposed of. The Chief Commissioner hopes therefore that the matter will receive attention during the current year. The individual tendencies remarked on by the Judicial Commissioner as influencing the manner of disposal of suits will in this way be so far checked as to prevent at least undue despatch, should such exist in clearing off cases by lower Courts. The pressure of appellate work being no longer great on Commissioners, the duty of supervision over the Subordinate Courts if somewhat extended is one from which much permanent improvement may be anticipated.

20. In conclusion the Chief Commissioner would acknowledge the progress already made in the practice and procedure of the Courts,—a result largely due to the careful instructions and effective supervision of the Judicial Commissioner, who has devoted a persistent and minute attention to all the details of Judicial administration.

I have the honor to be,

Sir,

Your most obedient Servant,

J. W CHISHOLM,

Offg. Secy. to the Chief Commissioner,

Central Provinces.

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PROVINCIAL STATEMENTS.

I.—Description, Value Statement.
II.—Value Statement.
III.—Trial Statement.
IV.—Execution Statement
V.—Appeal Statement.
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No. 246.

FROM

THE REGISTRAR, JUDICIAL COMMISSIONER'S COURT,

Central Provinces.

To

THE SECRETARY TO THE CHIEF COMMISSIONER,

Central Provinces.

Dated Nagpur, the 14th February 1874.

SIR,

I have the honor to submit the report on the Administration of Civil Justice in these Provinces for the year 1873, with the prescribed Statements as per margin.*

* *Imperial Statements.*	*Provincial Statements.*
B. 1.—Tribunal Statement.	I.—Description value Statement.
B. 6.—Number and description of Suits.	II.—Value Statement.
B. 7.—Value of Suits.	III.—Trial Statement.
B. 8.—Results of trials.	IV.—Execution Statement.
B. 9.—Appeals.	V.—Appeal Statement.
B. 10.—Execution of decrees.	VI.—Process Statement.
B. 11.—Juries and Assessors (blank).	

District and Divisional reports accompany. There is a general improvement in the District reports this year. Some† are very good. As the Commissioner of the Nagpur Division writes (para. 2), the Judicial Commissioner thinks that Annual Reports claiming to be good should not only contain full information, but should also show that the opportunity which their preparation affords of correcting defects in Court practice which a year's statistics bring to light has been duly taken advantage of. Such a report is that by the Deputy Commissioner of Chanda, which Commissioner notices again in these terms (para. 24) :—

† e. g. those from
Jabalpur.
Sagar.
Nagpur.
Chanda.
Nimar.
Sambulpur.

"The Officiating Deputy Commissioner has reviewed the work of the Chanda Courts so carefully that there is nothing left for me to remark upon, and what is better, Mr. Drysdale has given effect to his criticisms by communicating them to the officers concerned."

Order of subjects.

2. The subject is presented as usual in the following order.

A.—The Tribunals (Statement B. 1).

B.—The extent and character of litigation (Statements B. 6, B 7, I and II).

C.—The general distribution and result of the trial of suits in Courts of original jurisdiction, (Statements B. 8 and III.)

D.—The Appellate business (Statements B 9 and V.)

E.—Execution of Decrees (Statement B. 10 and IV.)

W K N—16—116—390.

A.—The Tribunals.

	1872.	1873.
Court of the Judicial Commissioner	1	1
Courts of the Commissioner	4	4
Courts of the Deputy Commissioners	19	19
Courts of the Assistant Commissioners	23	29
Courts of the Tahsildar	38	50
Courts of the Naib Tahsildars	9	10
	94	113
Courts of Small Causes in Cantonments	4	4
Courts of Small Causes at Nagpur and Jabalpur ...	2	2
Grand Total ...	100	119

3. The number of Civil Courts open at the close of 1872 and 1873 respectively, are compared in the margin.*

The year thus closed with 6 Courts of the Assistant Commissioner, 12 Courts of the Tahsildar, and 1 Naib Tahsildar's Court more than there were at the close of 1872.

The 10 existing Naib Tahsildar's Courts are located as per margin†. The number of these Courts would have stood at 12, but for the lapse of two Courts at Umrer and Katol, places in the Nagpur District at which the aid of Naib Tahsildars' Courts has heretofore been considered an important desideratum. The Deputy Commissioner considers that the large transfer of litigation to the Courts of the Tahsildar thus occasioned is a matter for congratulation. This view is probably based on the general objection to which no doubt, in a degree, the entrusting of a large amount of Judicial business to low salaried officials is open. But the Commissioner of the Nagpur Division when saying that the Court power of the Nagpur District is ample, includes in it a Judicial Naib Tahsildar at Katol, and it may be said that under the present circumstances of the Judiciary of these Provinces Naib Tahsildars' Courts are sometimes a necessity. The Deputy Commissioner of Raipur, in explaining the long durations in the Courts of the Tahsildar by the necessity of "employing the Tahsildars far more than for" merly on their own proper duties in the interior of their charges," writes that "the "employment of Naib Tahsildars as Civil Judges has been singularly over" looked in his District," and expressing the opinion that "if the Naib Tahsil" dars had Civil Court powers the Civil work would be performed just as well "as it is at present," mentions that he has applied to have those Naib Tahsildars who are in his judgment fit for the duty invested with Judicial powers.

† 1. Ramtek, Nagpur.
2. Hinganghat. } Wardha.
3. Arvi. }
4. Sehora, Jabalpur.
5. Rehli, Sagar.
6. Hardah, Hoshangabad.
7. Multai, Betul.
8. Chowarpatha } Narsinghpur.
9. Gadarwara. }
10. Chhindwara, Chhindwara.

The Deputy Commissioner of Bilaspur also in order to the entire relief of the Head Quarter Tahsildar from Civil Court duty advocates the creation at Bilaspur of the Court of a Naib Tahsildar; and the Commissioner of the Narbada Division writes as follows :—

"The experience of the past year has led me to form a strong opinion that the appointment of a Naib Tahsildar to the Sohagpur Sub-Division of the Hoshangabad District has now become necessary,* whether a permanent Assistant Commissioner for Sohagpur *cum* Pachmarhi be appointed or not. I propose to consider whether savings from elsewhere can be made available, and if such savings can be effected, to apply for a Naib with Civil Judicial powers. And this leaves me to say that I am very glad to find that the Judicial Commissioner is not opposed to a somewhat further extension of the plan of making Naib Tahsildars petty Judges, while at the same time he is very naturally anxious to improve their status. I should think that if the thing were taken up provincially, money might be found by reorganization of establishments, to give all Naibs invested with Judicial powers, at least Rs. 70 salary. I do not see why a man drawing Rs. 70 (or for the matter of that Rs. 50) should not judge petty suits with integ-

* This necessity is illustrated in para 15 further on.

rity. The Central Provinces' Civil Courts' Act contemplates investing Naibs with powers to decide suits up to Rs. 50 value. But practically where the Naibs can most help us, is in trying suits below Rs. 10; and this is about the limit that the Deputy Commissioners, in most cases, assign to them. Taking the disposal of *all* sorts of business into consideration, it would be highly useful if all Naibs at Sader Tahsils were able to decide petty suits so as to give more time to Sadr Tahsildars for disposal of administrative business."

With the exception of the new Court of the Tahsildar at Sironcha, in the Upper Godavari District, the increased number of Courts of the Assistant Commissioner and of the Tahsildar is owing to the abandonment of the Station Court, system under the instructions of Chief Commissioner's Book Circular II, of 1873.

Court-houses.

4. The reports contain the usual notices of defective Court-room accommodation. These defects can of course only be supplied gradually. The Chief Commissioner has already ordered alterations and additions which have long been required in the District Court-house at Bilaspur. It seems only necessary to notice here the deficiencies in the District Court-houses at Raipur, Sagar, and Jabalpur. Since the District Court-house at Raipur was planned and erected with three Court-rooms, the District work has been found to require the permanent services of three Assistant Commissioners besides the Deputy Commissioner, and one Assistant Commissioner has consequently very insufficient Court-room accommodation. The important District Court-houses at Sagar and Jabalpur have always been confined and inadequate.

Court-room furniture and fittings.

5. The internal arrangements of our best Court-rooms may be said to be fair, in some places the fittings are very good, in others they are not so good, deficient in style and in adaptation to their proper objects. The Judicial Commissioner when inspecting the Courts does his best towards the correction of defective adaptations, but for improvement of style the Judges are probably dependent on the Department of Public Works.

Malkhanas.

6. The Malkhanas or store-rooms, requisite wherever a Court is held for the safe keeping of the property under its charge, are generally reported to be now in fair order, though defects at Nagpur, Damoh, and Mandla are also reported.

From Nagpur the Deputy Commissioner writes, "the District Malkhana "(pertaining to the Courts at Sadr) is a room in an insecure and ruinous build-"ing, and I trust that more suitable accommodation will be made available du-"ring 1874." And the point to be brought out appears to be that there is an incongruity in the establishment of Courts without a place for the safe custody of the property, the charge of which is incidental to the performance of the Court's daily duties.

Record-rooms.

7. On the subject of Record-rooms, the following points claim mention,—(1) the continued inconvenience at Narsinghpur, owing to the newly projected Record-rooms not being sanctioned, and (2) the very dangerous position of the Records at Balaghat. The Judicial Commissioner recently made an inspection at Balaghat. The District establishments are located in a wattle and daub and thatched structure, which is in a most dangerous condition, every supporting post being well out of the perpendicular. Pending the completion of the new District Court-house, the removal of the records to a safer place appears to be urgently called for. The Judicial Commissioner is glad that the reports give hope of this being effected.

8. Some Courts are still unsupplied with copies of some Acts on the list of Court Library requirements. The Courts are supplied with Acts from the Chief Commissioner's Office, and correspondence [ending with this Office No. 1033, dated 10th September 1873,] relating to the supply of the long existing deficiencies took place during the year. The subject of forms continues difficult. The Form department in charge of District Clerks of Court comprises over 200 kinds of forms, and of some of these stores have to be kept in more than one language and character. The work of printing these forms is entrusted to the Nagpur and Jabalpur Central Jail Presses and the Secretariat Press, and the custody, indent, and supply of forms are duly methodized under the rules of this Office Circular III. of 1873 and VI. of 1874. Still on the one hand, Courts are sometimes found without the necessary supplies of forms ; and on the other hand, stock of printing paper in the Jail Presses occasionally runs out, and a check has been thought necessary against what might be extravagant indents. The matter formed recently the subject of special report. The large Printing establishment at the Nagpur Jail is still without an efficient trained Superintendent, and the style of the work turned out is not creditable.

Law Libraries.

9. Again only two candidates were successful in qualifying for Pleaders certificate at the annual examination in November last.

Pleaders.

*Nagpur	...	14	Seoni	...	1*
Bhandara	...	2	Hoshangabad		5
Wardha	...	3	Narsinghpur	.	5
Jabalpur	...	6	Burhanpur		1
Sagar	...	5			—
Rehli	.	1			40
Damoh	..	3			

At the close of the year Pleaders were practising at places and in numbers as per margin.*

At Jabalpur there are two Barristers at-Law, resident practitioners. On the general character of the Pleaders and the manner in which they affect the tide and tone of litigation the reports have sundry remarks as usual. The Judicial Commissioner regards the subject as very much in the same position as that which was pretty fully reported on last year. Certainly nothing new has come to light showing the need of any measures of a repressive or restrictive kind as regards the admission and use of Pleaders. The general impression that such a necessity might exist may even have diminished. Two measures have been taken since last report. (1).—The Judicial Commissioner in the course of Circular XXIV, dated 29th May 1873, pointed out that "according to Section 188, Act VIII. of 1859, under the denomination of costs "are included the whole of the expenses *necessarily* incurred by either party," "such as * * * Pleaders' fees &c. Some Courts include these expenses as costs, without any consideration as to whether, and to what extent, "they were "necessarily incurred.' The point should not be overlooked in future. Its determination may sometimes be difficult, but the Courts are bound "to exercise a reasonable judgment in the matter." (2).—Monopolies of practice have been reduced and healthy competition somewhat facilitated by the relaxation with the Chief Commissioner's sanction of certain conditions relating to certified linguistic knowledge to which Pleaders' appearances were previously subject.

The former of these measures is referred to with some favour in the reports, and from both measures good may be expected.

Since the close of the year,—at the instance of the Deputy Commissioner of Sagar, the Judge of the Court of the Assistant Commissioner at that place, and the Commissioner of the Jabalpur Division,—the Judicial Commissioner has been obliged to sanction the cancellation of the certificate held by one Pleader for misconduct.

10. What further mention of the local bar seems deserving of entry here is contained in the following extract from the reports:—

(*Commissioner, Jabalpur Division, paras.* 22 23).—"The local bar consists of—

AT JABALPUR.

2 Barristers.

6 Pleaders who have passed their examination in these Provinces.

2 Pleaders of the High Court, Calcutta, enrolled under the orders of the Judicial Commissioner.

AT SAGAR.

5 Pleaders at Head Quarters.

1 Pleader at Rehli.

"All of these have passed their examination in these Provinces.

"At Damoh there are 3 Pleaders, and at Seoni 1 Pleader, all being men who have passed in these Provinces. The conduct of one Pleader at Sagar came under notice during the year.

"In the District of Mandla there are no Pleaders, for the average value of suits is so small that the fees would barely suffice for the support of even the least ambitions amongst their number. For the same reason there are no Pleaders at the Tahsil Courts except at Rehli, where there is a good deal of litigation."

"The Deputy Commissioners of Seoni and Jabalpur have furnished no statistics to show to what extent Pleaders were employed in uncontested cases. The Deputy Commissioner of Seoni, however, states that they are not often so employed, and the Deputy Commissioner of Jabalpur mentions that the disallowance of costs in some cases has checked the unnecessary employment of Pleaders. The falling off in litigation, the disallowance of costs in certain cases, and the transfer of jurisdiction to the Tahsili Courts (as mentioned above, but perhaps even more than any of these causes, the large share of business monopolised by the newly settled Barristers, have considerably reduced the average earnings of the Pleaders stationed at Jabalpur, and some of them are now going off to other districts, one having since the close of the year left for Hoshangabad. In Sagar they are still employed very largely in uncontested suits, which the Deputy Commissioner explains by saying that the orders issued for the refusal of costs &c., have not been carefully acted upon in the Courts of his District. In Damoh much the same state of things continues. In more than 50 per cent of the cases in which they appeared the causes were uncontested. This the Deputy Commissioner attributes in a great measure to their local influence. The fact is that when once the practice has obtained of employing Pleaders, as a matter of course, it is very difficult to shake it. The Sagar and Damoh Courts have undoubtly made efforts to show the public that they can get justice without the intervention of law Agents, but I think their efforts have been too spasmodic, and not sufficiently maintained For the reputation of the local bar generally much may be hoped from the advent of Barristers, whose traditions and training are diametrically opposed to the loose practices sanctioned in litigation by the custom of the country."

(*The Deputy Commissioner Jabalpur.*)—"The local bar consists of two Barristers and 8 Pleaders, two of whom are Pleaders of the Calcutta High Court who have obtained permission to plead in the Courts here, and the other six obtained certificates by passing the examination prescribed for Pleaders in these Provinces. The description of cases in and the extent to which they are employed were fully shown in the statement submitted last year with the Civil Report. I have nothing to add to it in this year. I may however say that the objectionable feature brought out in that statement, that Pleaders are sometimes employed in cases in which their assistance was unnecessary, has received a check. The Courts have very properly (during the year under report) disallowed fees in such cases. [This also

serves as a check on the bankers contracting with Pleaders to conduct all their business, without respect to its nature or value.] Also since the abandonment of the single Court system and the transfer of cases not exceeding Rs. 300 in value to the Court of the Tahsildar of Jabalpur, the employment of Pleaders in cases of small values has to a considerable extent decreased. It seems to be inconvenient to the Pleaders to attend both the District and the Tahsil Courts, and as the fee derived in such suits is small, while the labor is the same as in cases of larger values they frequently do not care to undertake this class of business. The case was otherwise when such suits were heard in the Sadr Station Court. There they were constantly in attendance, and the smallness of fees was not so great an objection to accepting suits of small values. This would seem to support the remark made by the Judicial Commissioner in his Civil Report for 1872, that 'the fees allowed as costs are about as low as possible.' The Pleaders are seldom seen in the Tahsili Courts in the mofussil, simply because it is not worth their while. In suits of very large values however the case is otherwise. It is by no means rare for a Pleader to agree to conduct a case at a lesser remuneration, sometimes not more than half the fees allowed by rule. When a case of large value turns up there is a scramble among the Pleaders to get it, the suing party has now his cue and compels the applicants to agree to his terms."

[*Commissioner, Narbada Division para.* 5,] "None of the Deputy Commissioners say anything on the subject of Pleaders, except the Deputy Commissioner of Narsingpur, and he says little. No Pleaders have yet begun to practice at Chhindwara and Betul, and I believe there is only one at Nimar. Some observations on the subject should have been made by the Deputy Commissioners of Narsinghpur and Hoshangabad. The profession has not however been recruited by any fresh men, even in these two districts; and I think that probably their gains may have been diminished in certain classes of cases from the Judges refusing to certify Pleaders' costs where their employment was *really* unnecessary."

"At least I have seen some proper instances of this refusal in certain cases appealed from Narsinghpur."

[*Commissioner, Nagpur Division, para* 8.] "Regarding the employment of Pleaders I could have wished that district reports had contained more evidence that Judges had paid due attention to the Suggestion conveyed in the Judicial Commissioner's last report that fees of Pleaders unnecessarily employed should be disallowed. I have again attention called to the Judicial Commissioner's direction on this point."

11. During the year the Courts were open on 250 days* as compared with 245 days in 1872. The increased number of open days is owing chiefly to the Christmas vacation having in 1873 been simultaneous with a portion of the Annual month vacation in December. In 1872 the month vacation was in May. The expectation that December would be a better month than May for the vacation seems to have been justified. Mr. Jones, Commissioner of the Nagpur Division, repeats a suggestion (which the Chief Commissioner noticed in his Administration Report for 1872-73, page XI) in regard to longer vacation for some Courts, in the following terms [Commissioner's para. 9.]

HOLIDAYS.		Days.
Year	...	365
Deduct.		
December Vacation	...	31
Sundays in 11 months	...	48
Civil Courts' casual holidays	...	36
Close days	...	115
* Open days	...	250

"The change in the month in which the vacation is held is welcomed on all sides. I have in previous reports recorded my opinion that in districts where there is little Civil business, vacations should be much more frequent and the single vacation much longer. In Nagpur and Wardha the Civil work could scarcely be got through in less than 11 months, but I can see no reason why because in these Districts work requires the vacation to be short it should be equally short in Districts like Chanda and Balaghat where the amount of work is so much less. Why for instance should the Tahsildar of Behir be supposed to be employed for 11 months over 74 suits, and would it not be possible to give the Tahsildars of *Mul*, Brahmapuri and Sakoli, 4, 5 or even 6 months' vacation? As long as a Court is kept open at Chanda and Balaghat to take up cases which plaintiffs think urgent enough to bring in then no inconvenience could I think

result from adopting the suggestion here submitted. When reporting for the alteration of the long vacation from May to December, the Judical Commissioner in March last wrote as follows :— (Judical Commissioner's page; 5), The only reason I have been able to hear of as at all valid for a long Civil Court vacation in these Provinces is that it eases off for the space of a month the pressure of business on the Administration generally for officers * charged with public business in many onerous departments, and for the business with which in all departments they are charged an interval of comparative rest is said to be desirable, and the Civil Judicial business is that where temporary cessation can be most conveniently arranged. There may be weight in what is sometimes urged on this head. But I know of no other plea for a long civil Court vacation in these Provinces worth citing."

* Commissioners, Deputy Commissioners, Assistant Commissioners, Extract Assistant Commissioners, Tahsildars.

Perhaps all Tahsildars could be kept employed in other than Civil Court business during a vacation, however long; and in closing some of these Courts for specially long vacations there might therefore be additional relief to the general administration. But the small amount of business in any Court would hardly of itself suffice as a reason for its long closure. No material reduction of Establishments could even for the time be effected, and while the Court officials might just as well be fully as partially employed during the whole ordinary working period of a year it is of course more convenient to the public to have the Courts open for a longer rather than a shorter period annually.

Revision of Court registers and returns.

12. The Court registers ond returns were revised during the year, and while the statistical system was cleared of defects which came to light during the Judicial Commissioner's tour of inspection in the beginning of the year it was made to yield fuller and more correct information with less trouble and in simpler form.

B.—Extent and Character (value and description) of Litigation.

The total litigation.

[*Including re-institutions,] see Statement III.

13. The total number of suits instituted during 1873, (*Statement B 6) was 74,594, as compared with 73,955 in 1872, being an increase of 639 suits or less than one per cent.

Extent compared with former years.

14. The usual Table comparing suits instituted (including suits re-instituted) during each year since the formation of the Central Provinces in 1862 is given in the following page. It will be seen that the number of suits in 1873, though slightly above that for 1872 is yet considerably below the total for 1871. But while the total number of suits instituted in all Courts throughout the Provinces in the year under report is almost the same as in the previous year, in some Courts and localities there have been considerable differences, and here it should be remarked that Deputy Commissioners have been more discriminating than in former years in their comments on the fluctuations of litigation during the course of the year.

Year.		No. of suits.
1871	...	78,088
1872	...	73,955
1873	...	74,594

Statement showing the number of suits instituted and re-instituted in the Civil Courts of the Central Provinces from 1862 to 1873.

Year.	Nagpur. District.	Nagpur. City Small Cause Court.	Nagpur. Cantonment Small Cause Court, Kamthi.	Nagpur. Total.	Chanda.	Bhandara.	Wardha.	Balaghat.	Jabalpur. District.	Jabalpur. City Small Cause Court.	Jabalpur. Cantonment Small Cause Court.	Jabalpur. Total.	Sagar. District.	Sagar. Cantonment Small Cause Court.	Sagar. Total.	Sooni.	Damoh.	Mandla.	Hoshangabad.	Betul.	Nimar. District.	Nimar. Cantt. Small Cause Court, Asirgarh.	Nimar. Total.	Narsinghpur.	Chhindwara.	Raipur.	Bilaspur.	Sambalpur.	Upper Godavari.	Grand Total.
1862	3,349	1,622	1,612	6,583	667	1,750	658	...	1,619	315	504	2,438	2,313	601	2,914	806	760	369	2,016	1,058	...	.	...	2,121	705	1,326	163	345	7	24,666
1863	3,020	1,436	2,338	6,794	687	1,634	592	...	1,385	1,321	686	3,392	2,380	572	2,952	973	729	201	2,202	1,142	.		..	2,691	1,038	820	222	201	25	26,305
1864 ..	2,647	1,692	1,706	6,045	716	1,692	490	...	1,230	1,683	612	3,525	2,109	1,161	3,270	1,280	859	354	3,183	1,228	4,398	..	4,398	2,542	870	1,221	707	275	42	32,697
1865	2,974	1,288	806	5,068	649	2,076	927	..	1,734	1,739	455	3,928	2,741	709	3,450	1,313	1,377	563	5,897	1,156	3,854	.	3,854	3,558	1,303	1,573	1,781	695	66	39,254
1866 .	3,286	2,320	1,017	6,623	1,021	2,420	1,216	.	1,405	1,636	481	3,522	2,988	7 0	3,708	1,18[illegible]	1,289	421	5,279	1,191	7,561	.	7,561	3,416	1,345	1,379	2,896	594	163	45,250
1867..	3,390	3,289	1,323	8,002	1,219	2,934	1,893	303	1,685	1,662	296	3,643	2,724	389	3,113	1,263	1,709	380	5,427	1,979	5,541	27	5,568	3,272	1,990	1,406	3,762	592	89	48,544
1868	4,566	4,060	2,083	10,709	1,636	2,798	3,057	810	1,699	2,052	541	4,292	3,612	559	4,171	1,394	1,631	401	5,494	2,732	6,508	244	6,752	4,125	2,770	1,659	3,466	538	125	58,558
1869	5,529	4,415	3,454	13,398	2,006	2,814	3,724	925	1,441	1,984	514	3,939	4,052	835	4,887	1,387	1,760	528	5,068	2,351	7,854	293	8,147	4,535	3,340	1,982	1,298	886	159	63.137
1870	5,648	4,880	3,407	13,935	2,587	3,596	4,277	727	1,725	2,435	445	4,605	4,003	692	4,695	2,185	1,693	656	6,750	2,702	7,689	165	7,854	5,657	4,027	3,123	1,866	959	289	72,183
1871...	6,761	5,300	2,594	14,661	2,937	3,507	6,169	1,236	2,278	2,499	463	5,240	3,132	699	3,831	2,619	1,783	560	6 695	3,207	8,551	118	8,669	6,385	3,616	3,194	2,381	1,112	286	78,083
1872 ..	6,060	5,061	2,779	13,900	2,072	3,122	5,485	989	2,313	2,400	511	5,224	2,652	672	3,324	1,904	1,343	679	7,219	3,249	9,572	174	9,746	5,593	3,537	2,644	2,561	1,087	277	73,955
1873 ..	6,315	5,709	2,428	14,452	2,161	2,633	6,051	1,191	1,985	2,254	437	4,676	2,979	432	3,411	1,692	2,066	661	7,918	3,278	7,808	147	7,955	6,369	3,633	2,657	2,081	1,427	252	74,594
Grades and number of Courts at the close of 1872. Courts of the Deputy Commissioner				1	1	1	1	1				1			1	1	1	1	1	1			1	1	1	1	1	1	1	19
Courts of the Assistant Commissioner				2	1	1	3	1				1			2	1	2	1	3	1			3	2	1	2	1	1	..	29
Courts of the Tahsildar.				4	3	3	2	2				3			3	2	2	2	4	2			3	2	2	4	3	2	2	50
Courts of the Naib Tahsildar ..				1	...	...	2	...				1			1	...	...	..	1	1		...		2	1	..	..	..	...	10
Small Cause Courts and Registrar's Courts ..				4	...	..	..	..				2			1	...	...	...	..	...			1	...	..	..	..	.	...	8
Total ..				12	5	5	8	4				8			8	4	5	4	9	5			8	7	5	7	5	4	3	116

I. Increase and Decrease of Litigation.

(A.) *Increase of Litigation.*

15. There was an increase of 1,124 suits* in the Courts at Nagpur, Katol and Ramtek. This increase was practically independent of the decrease at the other two places in the Nagpur district where Civil Courts are located viz. Kamthi and Umrer. The greater part of the increase was at Nagpur itself, where litigation after slightly flagging during 1872, reached a higher point than even in 1871.† The increase was chiefly in suits not exceeding Rs. 20 in value in the Court of Small Causes ‡ The Judge of that Court has not been able specially to account for the increase, and it has occurred, notwithstanding somewhat frequent directions in decrees for payment by instalments.

Nagpur District.

* 1872	10,185	suits.
1873	11,309	do.
Increase	1,124	do.
† 1871	7,085	
1872	6,803	
1873	7,609	
Increase	806	

‡Year.	Total suits instituted.	Not exceeding Rs. 20-0-0 in value,
1872	5,061	2,939
1873	5,709	3,624
Increase.	648	685

Litigation increased pretty evenly at Ramtek and Katol. Increased however though the litigation in these Courts was, still it did not come up to the amount of litigation in them in 1871.

District Courts at	1871.	1872.	1873.
Katol ..	2,205	1,983	2,141
Ramtek ..	1,886	1,399	1,559

There was an increase in the Courts at Chanda, Warora and Mul of 19 per cent. The increase was proportionately greater at Mul and Warora than at Chanda. At Warora it is attributed in the local reports, chiefly to the stoppage of indiscriminately directing the payment of money decrees by instalments, which practice had erroneously obtained during part of 1872. And this probably accounts in some degree for the increased litigation at Chanda and Mul also.

Chanda District.

1872	1,551	suits.
1873	1,860	do.
Increase	309	do.

Chanda.

1872	636	suits.
1873	736	do.
Increase	100	do.

Warora.

1872	554	suits.
1873	694	do.
Increase	140	do.

Mul

1872	361	suits.
1873	430	do.
Increase	69	do.

This was the district in which the rapid rise of litigation was until 1872 perhaps more remarkable than in any other district in these Provinces. In 1872 there was a check but in 1873 there has again been a rise, and the drift of the Deputy Commissioner's remarks regarding the fluctuations of litigation during the course of the year seems to be that, but for certain untoward interruptions to business, the figure for 1873 would have been even higher than it is.

Wardha District.

1871	6,169
1872	5,485
1873	6,051

Year.	Hinganghat.	Arvi.
1872	1,522	2,102
1873	1,566	2,132
Increase	44	30

1872	1,861	suits
1873	2,353	do.
Increase	492	do.

The increase was not significant at Hinganghat or at Arvi, but at Wardha it amounted to 26 per cent, for which the progress of the Coal Railway works may as the Deputy Commissioner thinks in some degree account.

In the Sagar District Courts (*i. e.* excluding the Sagar Cantonment Court of Small Causes, in which litigation fell off,) there was an increase of 327 suits or 12 per cent.* What of this increase occurred at the Courts of District head-quarters† must be to some extent taken account of in connection with the business of the Rehli Court which partly came in to Sagar during one month of the year in the absence of the Tahsildar. The increase in the Courts at Sagar and Rehli taken together amounted to 151 suits or 7·7 per cent.

Sagar District.		
*1872	2,652	suits.
1873	2,979	do.
†1872	1,322	suits.
1873	1,486	do.
1872	761	suits.
1873	748	do.
1872	2,083	suits.
1873	2,234	do.

At Banda there was an increase of 89 suits or 54 per cent, which is accounted for by the fact that during the early part of 1872 the Tahsildar had no Civil powers, and even now the institutions fall short of what they were for some years* previously. The increase of 21 per cent in the Court of the Tahsildar at Kurait is said to be due "to "the removal of the Tahsildar, who had been for some "16 years resident in this Tahsili and was often able to "settle cases out of Court owing to his influence among "the people." Upon the whole the increase in the Sagar District Courts is not so marked as to require special explanation. The suits of the year are still fewer than in 1868 to 1871.

1872	164	suits.
1873	253	do.
*1868	504	
1869	695	
1870	710	
1871	431	
†1872	405	
1873	492	
1868	3,672	
1869	4,052	
1870	4,093	
1871	3,132	

But the following observation made by the Commissioner when noticing the Deputy Commissioner's ascription of increase to higher prices of food is worthy of extract :—

"If it be true that in an agricultural district over-litigation is chiefly caused by the poverty of the people, it would only be natural that high prices should give an impetus to institutions, and though the Jabalpur statistics show an opposite tendency, the difference in results may possibly be accounted for by what I believe to be the undoubted fact, that the mass of the Jabalpur agricultura population is better off than the corresponding class in any other district in the division, and therefore that they may have been able to recover more quickly from the effects of indebtedness contracted in 1868-69, than their fellows in Sagar or in Damoh."

There was a remarkable increase in the Courts of this district of 53 per cent* the number of suits during the year having been unprecedentedly large, the highest previous figure which was reached in 1871 being only 1,783. The Deputy Commissioner's explanations are shown by the Commissioner to be inapt. The Commissioner notes that the increase took place in all classes of suits and throughout all times of the year, and proceeds as follows :—

Damoh District.		
*1872	1,343	suits.
1873	2,066	do.
Increase	723	do.

"Here then we clearly have before us a genuine natural instance of litigation taking a forward start, which, with the limited information before me, I can only account for on the suggestion offered in the case of Sagar, but even more markedly applicable to Damoh, viz. that creditors are taking advantage of high prices to realise long standing debts. Possibly a careful examination of the causes of institution would bring out some other reason, and a reference will be made to the Deputy Commissioner of Damoh on the subject. I am not sure, however, that it is possible to account satisfactorily for fluctuations in litigation year by year. Probably the causes which affect litigation act over cycles of years, and it is to these longer periods that our tests and observations should be applied."

The Katangi Tahsili was transferred to the Balaghat district early in the year, and the business of the Court of the Tahsildar at Katangi has been taken account of from the beginning of the year in the Balaghat district. In the other Courts of this district there was an increase of 168 suits or 12 per cent The number of suits however was still much smaller than in 1870 and 1871. The Commissioner after showing the Deputy Commissioner's method of accounting for the increase to be partly invalid remarks—

Seoni District.	
1872	1,360
1873	1,528
Increase	168

" The opening of a new Court at Seoni *i. e* the Tahsildar's Court, has probably caused some increase in institutions, and this is borne out by the fact that a similar increase is generally observable at the head-quarters of other districts where Tahsili Courts have been opened."

There was a slight increase of 10 5 per cent* in the Courts at Mandla, on which the Commissioner remarks " the opening of the Tahsildar's Court at Mandla " (under the Chief Commissioner's Book Circular II of 1873) " caused an increase in institutions here as elsewhere."

Mandla District.	
1872	559 Suits.
1873	618 do.
Increase	59 do.

In the Court of the Tahsildar of Sausar there was an increase of 28 per cent This was independent of fluctuations in the Courts at Chhindwara, but the Deputy Commissioner has lumped the business at either place and thus lost sight of this considerable increase of business in the Sausar Court.

Chhindwara District.	
1872	780
1873	1,000
Increase	220

In the Courts at the Betul District head-quarters there was an increase of 25 per cent which as in the case of Chhindwara has been lost sight of in the local reports by the independent business of the Court at Multai being lumped with that of the Courts at the District head quarters

Betul District.	
1872	1385
1873	1733
Increase	348

There was an increase of 5·8 per cent in the Courts at District head quarters which perhaps required no special explanation; but there has been a remarkable increase of 63 per cent in the Court of the Tahsildar at Sohagpur. The Deputy Commissioner has on this the following remark:—

Hoshungabad District	
1872	1953
1873	2,073
Increase	120
1872	1,309
1873	2,132
Increase	823

" I attribute this increase almost entirely to the fact of the bad harvest of the previous year. I last year remarked that the increasewas less than might have been expected, but the people of Sohagpur Tahsil are by no means so well to do as those of the more western Tahsils, and it is believed that the creditors refrained from suing until the time for payment or in the event of non-payment, means for executing the decrees should be more favourable. This view seems supported by the fact that last year the Tahsildar had 510 executions filed to only 277 in the present year."

To which the Commissioner adds as follows :—

" No reason appears why Sohagpur has so much higher numbers in the first and third quarters than in the 2nd and 4th, the vacation in the last quarter being duly taken into account. On the whole the increase of litigation in Sohagpur is a source of some anxiety. I hope to make some enquiries of my own on the subject when my camp goes there next week."

The Courts at Narsinghpur and Chawarpatha must be treated together because the Chawarpatha business during a portion of the year came to the Courts at Narsinghpur In these Courts then there was an unnoticeable increase of about 2 per cent. But in the Courts at Gadarwara there was a very considerable increase of 29 per cent. On this the Deputy Commissioner has the following remarks :—

Narsinghpur District.	
1872	3,117
1873	3,177
Increase	60
1872	2,476
1873	3,192
Increase	716

"The increased litigation at Gadarwara has been attributed to the fact that the Rabi harvest was not as good in that Tahsil as in the others, but I am not myself inclined to attribute it to that cause but to the gradual development of trade and mercantile and other transcations which is undoubtedly taking place in Gadarwara itself."

In this the Commissioner concurs, adding that—.

"Gadarwara alone of all the towns in the Narbada Valley proper is just now increasing in importance as a mart and trade depôt."

The increase of buisness at Gadarwara was of a steady kind occurring pretty evenly throughout the year.

It may be remarked that the Sohagpur Courts and the Gadawara Courts have jurisdiction in contiguous sub-divisions of districts, but the possibility of the causes of increased business at either place being similar has not been adverted to in the local reports, and as will be seen further on, an examination of the statistics for the Narsinghpur district does not tend to confirm any surmise that the increase of suits in the Gadarwara Courts was chiefly owing to the development of trade at Gadarwara itself.

The Statements show a slight increase at Mortakka. But the Deputy Commissioner explains how it is obtained by an inapt comparison of figures, and that in reality the tendency of suits has been not to increase but on the contrary to decrease.

Nimar District.

1872.	652
1873.	754
Increase	102

Raipur District.

	1872	1873
Raipur	1,538	1,540
Simgah	367	416
Dhamteri	365	399
Total	2270	2355

There was a slight increase of suits at Raipur as well as in the Court of the Tahsildar at Simgah, and at Dhamtari.

There was an increase of 31 per cent. The business was so distributed that the figures for all Courts have to be treated in the lump. The Deputy Commissioner after accounting for the increase partly by referring to an abnormal decline of litigation in 1872, has the following interesting remarks:—

Sambalpur District.

1872	1,078
1873	1,427
Increase	340

"The remaining increase of over 300 cases must be due to causes which have been in operation, some chiefly during the past year, and others during previous years also."

"One of these I think has been that the practice of the Courts during the past few years has been more favourable to debtors, Decrees by instalments have been freely given and a rigid scrutiny has been exercised to prevent creditors exacting more in the way of interest, than they were lawfully and justly entitled to; and the consequence of this has been, that many debtors who in former years rather than allow suits to be brought against them, would have executed fresh bonds for the whole sum due, interest as well as principal, and thus have gone on paying compound interest for their debts, now much prefer that the cases should come into Court, and that they themselves should thus have the opportunity of clearing off what they owe by instalments. This cause has I think operated to increase not only the number of suits for money due on written and unwritten obligation but also the number under the head of "moveable property or the value thereof" among which all suits for grain lent are now included, and as the practice of ordering payments by instalments has only been generally followed by the Courts for the last two years it may be said that it is only during the past year that the full effect of the measure has been felt."

"Another reason is that the people are now becoming generally well acquainted with the laws which govern our Courts and are at the same time getting more ready to take advantage of them when they find them in their favour. Many of the merchants have told me, that formerly no one in the district would think of repudiating a debt or refusing to grant a fresh acknowledgment thereof, although the time during

which a suit for the amount could be brought, might have elapsed, but that now the School master was abroad (this was the exact expression used to me by a Marwari merchant the other day) and the rules of the Limitation Act had become well known, and as many, both merchants and money lenders, have found themselves without a remedy against defaulting debtors, who were protected by that Act, they have of late become very careful to file their suits within the time prescribed by law.'

"The great cause of the increase in all classes of suits, in which such an increase is chiefly observable, must however I think be held to be due to the fact that the trade of the district is rapidly advancing, and the wealth not only of the mercantile classes but also of the general population decidedly increasing. The number of merchants in the town has been more than doubled within the past few years, and some of them now do a very considerable business though the price of food grains also has remained very low for several years back; the increased trade with Cuttack which has followed the establishment of a Port at False Point, has raised the price of the other ordinary articles of produce and this has given a considerable access of wealth to the agricultural classes. Then again imports have largely increased, in the article of piece goods alone a considerable trade between this place and Calcutta has sprung up, and nearly the whole of what is imported is for consumption in this district, and it is now uncommon to see even a respectable ryot clad in the coarse and common cloths of country manufacture, which a few years ago were worn by all. At the same time also the consequence of this is, that the system of barter which formerly prevailed everywhere is being destroyed, a person wishing to purchase a cloth of English manufacture cannot get it by exchanging so much rice for it but has to pay the price in money, and except in the remoter parts of the district, money is now becoming the universal medium of exchange. A few years ago too the business of the Marwari merchants of the town was almost entirely conducted on the principle of ready money payments, but latterly since they have begun to get better acquainted with the people and better able to estimate the means of individuals and being probably also pressed by competition with each other, they have taken to allowing credit in all their transactions.

"All these circumstances must have had a direct and immediate effect in increasing litigation, and the increase which is shown by the returns now submitted to have taken place during the past year, is thus I think satisfactorily accounted for. Certainly it would not appear to me to indicate that the people generally are getting poorer, or are being oppressed by the action of our Courts, and I believe that it may be broadly stated that it is because new wants have been created among the people and the means of supplying these wants, often on credit, have been provided, that the litigation in this district has so much increased in recent years."

(B.) Decrease of Litigation.

Nagpur District.

1872 2,779 suits.
1873 2,428 ,,
Decrease 351 ,,

16. There was a decrease of 12·6 per cent in the Court of Small Causes, Kamthi, attributable chiefly to movements troops.

There was also a decrease of 23·6* per cent, in the Court of the Tahsildar at Umrer. Civil business in the jurisdiction of this Court is only about half as much as in the jursidictions of the other outlying Courts of the Tahsildars in the Nagpur district, but the proportionate falling off in the number of suits instituted was undoubtedly considerable, and while it is the more remarkable in contrast with the increase of litigation at Nagpur, Katol, and Ramtek,† it remains unexplained.

* 1872 936 suits.
1873 715 ,,
Decrease 221 ,,

† See paras above.

There was a decrease of 42 per cent in the Court of the Tahsildar at Brahmapuri. This decrease is attributed by the Tahsildar to the "people learning, from his attention to the instructions of Judicial Commissioner's Circular No. IV of 1872, that they gain nothing by instituting suits when they might just as well settle their claims out of Court," and the Officiating Deputy Commissioner supports this view when noticing that

Chanda District.

1872 521 suits.
1873 301 ,,
Decrease 220 ,,

the proportion of contested suits in this Court was as high as 62 per cent, observing " I have myself seen several of the Tahsildars' cases and have been struck by the care which he takes to ascertain and exhaust the points of difference between litigating parties."

Bhandara District.

1872	1,317
1873	893
Decrease	424

	Bhandara	Sakoli
1872	1,335	469
1873	1,304	466
Decrease	31	3

Litigation has been falling off for the last four years in the Courts of this District and this for the most part independently of territorial changes. It now stands for 1873 at a lower point than it has reached since 1866. As compared with 1872 the chief falling off occurred in the Court of the Tahsildar at Tirora where it amounted to 32 per cent. It occurred entirely during the latter half of the year and is attributed by the Deputy Commissioner to the failure of the rice crops. The Commissioner's views are given further on (para 17.)

At Bhandara and Sakoli the decrease was insignificant.

Balaghat District.

	Balaghat, Katangi.
1872	989+544=1533
1873	1191+164=1355
Decrease	178

The figures of this district when made to combine for the whole of both 1872 and 1873 those for the Court of the Tahsildar at Katangi which on its transfer to the Balaghat district on the 1st April 1873 was closed, show a decrease of 11 per-cent. It is impossible to determine the locality to which this decrease chiefly pertained, but in the absence of explanation the same view may probably be applicable to it as to the decrease in the adjacent jurisdiction of the Court of the Tahsildar at Tirora in the Bhandara district.

Jabalpur District.

1872	5,224
1873	4,676
Decrease	548

There was a decrease everywhere in the Courts in this district amounting on the whole to 10·5 per cent, and occurring pretty evenly in every Court. The Deputy Commissioner notices the subject in the following terms:—

" In 1872 the litigation had been almost stationary. During the year under report the number of suits instituted fell from 2,214 to 1,914 cases, excluding re-institutions, being a decrease of 300 suits or 13·5. The following table shows the course of litigation from month to month.

	1872.	1873.
January	254	195
February	205	176
March	158	151
April	281	133
May	0	211
June	372	235
July	227	290
August	276	177
September	218	139
October	136	132
November	99	146
December	87	...
Total ...	2,322	1,985
Deduct re-institutions ...	108	71
Actual number instituted ...	2,214	1,914

It appears from the above that the decrease is spread over the whole year. The only exceptions are the months of July and November. In this latter month however the prospect of the closure of the Civil Courts in December has no doubt to a certain extent increased the insititutions. But for the increase in July 1873 no satisfactory reason can be assigned. The decrease is exhibited in both the seasons when litigation is generally most active, viz, after the Kharif and Rabi crops have been brought to market. This occurs in January and February and from April to July. In these months the agricultural classes against whom the bulk of the litigation is directed, besides having time, are in a better position to meet their creditors' demands, who on their part do not let the opportunity pass without taking full advantage of it. The result however indicates a remarkable falling off in litigation.

"The table in the margin gives the litigation of each year since 1867, from which it is plain that 1873 is the first year in which a downward tendency has become conspicuous. In 1869 the institutions were low, but that was on account of the widespread distress under which the district suffered from the failure of the crops during that year, when the lower class of agriculturists were pressed to find sufficient food and the landowners could with difficulty pay the Government revenue; when people were pawning their ornaments and other property to procure sufficient food to support life, it was useless for creditors to press for payment or to resort to the Courts for realization of their debts. At this time the agricultural community and indeed persons of slender means in all classes ran largely into debt, paying interest at exorbitant rates and thus laying foundation for future litigation. It is not at all unlikely, and I consider it a fact, that increase of litigation in succeeding years was in a great measure the result of that year's distress. If this view of the matter be correct the present falling off would indicate returning prosperity among the classes connected with land, and as such a matter for congratulation. In noting the possible causes of decrease in litigation I must not omit mention of the action of our Courts, introduced in the latter part of 1872 (but which had full effect in 1873) being then more generally known to litigants. I mean the refusal to adjudge interest at the rate agreed upon in the bond for periods beyond the term of the agreement, when the creditor had unnecessarily allowed his claim to lie over with the view of allowing interest at high rates to accumulate. Now it seems that when money-lenders have permitted the period stipulated for payment to expire they prefer to renew their bonds to coming to the Courts. The instructions regarding the fixing of instalments for the recovery of the amount decreed have also been more strictly followed than they were before. These had no doubt their share of influence in mitigating the evil of undue resort to the Courts."

Year.	Institutions.
1867 ..	.. 1685
1868 ..	.. 1699
1869 ..	.. 1441
1870 ..	... 1725
1871 ..	.. 2286
1872 ..	.. 2622
1873 ...	.. 1985

Upon which the Commissioner remarks as follows:—

"The total falling off in institutions may perhaps be ascribed to (1) return of more prosperous times, the obligations contracted during the distress of 1869 having in a great measure been cleared off; (2) to the action of the Courts in sifting claims for interest, occasionally refusing costs to successful plaintiffs, and sometimes permitting payments of decrees in instalments. No doubt the tendency of these measures must be to make creditors more cautious in using the Courts to collect their debts; but the experience of other districts (Damoh especially) seems to show that if natural causes are working towards the increase of institutions, reasonable restrictions, such as those mentioned, have little effect in checking the tendency to litigation. I conclude therefore that in Jabalpur natural causes either co-operated with, or at least did not operate against reformed procedure; and if so the hypothesis suggested above seems the most obvious one to adopt. It will be observed that in Jabalpur these restrictions were employed to a smaller extent, not only absolutely but proportionately, than in any other district of this Division except Mandla, and yet in Jabalpur and Mandla alone was there any decrease in institutions."

There was a decrease of suits in the Cantonment Court of Small Causes of 35·7 per cent, owing doubtless, as remarked by the Judge of that Court, "to the decrease in the population of the Cantonment since 1869 consequent on the reduction of the Garrison, coupled with the removal of the Sadr Bazar to the vicinity of the City of Sagar,—changes which have considerably reduced the trade of Sadr Bazar and impoverished many persons who were indebted to the bankers to such an extent that these men find it useless to sue them for their claims."

Sagar District.	
1872	672
1873	432
Decrease	240

There was a decrease in the Court of the Tahsildar at Ramgarh, which is explained by the Deputy Commissioner in this way; that prior to 1872 suits in this Court numbered from 40 to 44 per annum, and the larger number in 1872 was quite exceptional.

Mandla District	
1872	120
1873	43
Decrease	77

There was a decrease in the Courts at District Head Quarters of 4·7 per cent, which is not noticed in the local Reports, and is indeed not remarkable.

Chhindwara District.	
1872	2757
1873	2633
Decrease	124

In the Court at Multai there was a decrease of 17 per cent, which was lost sight of in the local Reports, owing to the work of all the Courts in the district being treated as a whole, and of which therefore no explanation is affordable (see para. 15 above.)

Betul District.	
1872	1864 suits
1873	1545 ,,
Decrease	319 ,,

There was a decrease of litigation in the Courts both at Seoni and at Harda. In the Seoni Court it amounted to 15·6* per cent and in the Harda Court† to 3·5 per cent. The decrease at Harda is not very significant. That at Seoni is more so, but any importance which might attach to it has been lost sight of in the attention which the net increase in all the Courts of the district taken together claimed.

Hoshangabad District.	
* 1872	859
1873	725
Decrease	134
† 1872	3098
1873	2988
Decrease	110

In the principal Courts in this district, namely at Khandwa and Burhanpur, as well as at Asirgarh, there has been a large and remarkable decrease of 21· per cent, the proportion being pretty even for the Courts at all three places. The fall in litigation in these Courts was of a steady kind throughout the year. Its causes are well treated in the Deputy Commissioner's and Commisioner's Reports, extracts from which are subjoined :—

Nimar District.	
1872	9094
1873	7201
Decrease	1893

[*Deputy Commissioner's Report, paras.* 22 *to* 28.]—" There is no doubt that to some slight extent the decrease in litigation throughout Nimar is attributable to the good harvest of 1872-73 and the generally more prosperous condition of the people. Work has been plentiful and food cheap; the poorer classes have therefore been better able to meet their debts before contracted and had less need to borrow. But this I consider of itself would not have so sensibly affected the litigation.

" Year by year, good harvest or bad harvest, there has been a marked increase in litigation in Nimar, which has never yet been satisfactorily accounted for. It follows, therefore, that some active cause not heretofore in force has given a decided check to this upward tendency. This cause I have no doubt myself (and this is also the opinion of all Subordinate Civil Courts) is that during the year under report a judicious use has been made of the powers vested in Civil Judges by the Code in the matter of decrees."

Suits instituted.	
1867	5,541
1868	6,508
1869	6,752
1870	7,689
1871	8,551
1872	9,572

" On my assuming charge at the beginning of the year I took Judicial Commissioner's Circular No. 4 of 1872 as my text, and carefully impressed on Civil Judges the necessity of considering, and as a matter of justice, acting on the remarks, more especially of para. 4 of that Circular. I pointed out that the great majority of cases which came before the Nimar Courts, were for money borrowed on parole or promissory notes, and that a judicious application of the provisions of Section 194 Civil Procedure Code would not only be a relief to many an *honest* debtor, but would tend more than anything to stop that indiscriminate litigation in petty cases which was fast converting our Civil Courts into mere debt-collecting machines."

" There is no doubt that heretofore the wise provision of the above quoted Section was in our Courts a dead letter. For example, of the 2,418 cases decided in 1872, in the Assistant Commissioner's Court at Burhanpur, not one decree by instalments

was given, whilst in 1873 of 1,854 cases, 121 were so awarded. So far, however, as my inspection goes I am satisfied that these decrees have been, for the most part, when the debts were of long standing and composed, for a great part, of exorbitant compound interest.

" It appears to me that in the face of so much petty indebtedness as we have in Nimar it should be remembered that a debt is not like a fine, and that it is advisable in the interests alike of debtor and creditor that such a decree should be given as will be most likely to profit the creditor without proceeding to extremities with the debtor."

" Many a daily labourer is sued for rupees 10 which, if decreed for outright, results in one of two things—(1) either he will be forced by his creditor to enter into a new engagement at ruinous interest and compound interest, (2) or he will be pauperised and driven (as I know has been the case too often) to abscond to foreign territory; whereas, had the same debt been decreed by small monthly instalments, the whole amount with fair interest would have been paid within a year and without greatly inconveniencing the debtor. Besides which the moral effect in such cases is incalculable, for it is too often the utter hopelessness of extrication that drives men into deeper debt.

" The action of the Courts then as above described has resulted in a dimunition of petty litigation in three ways; *first*, the knowledge that the Courts would, in all practicable cases, give the debtor a chance of getting out of their toils, has acted as a deterrent on many an unscrupulous Shylock, and made them amenable to fair and equitable terms of postponed adjustment offered *bonâ fide* by many a debtor; *secondly*, suits have been kept out of Court because by decreeing instalments the Court has put it out of the power of the judgment creditor to compromise execution by the exaction of fresh bonds on which they would again sue their unfortunate debtor; *thirdly*, knowing that their cases will be more carefully sifted and their costs disallowed, if it were found that their debtors had been unfairly taken advantage of, has also I feel sure prevented the filing of some suits.

" With regard to the excessive amount of litigation which (still) exists in Nimar a year's experience of the people, the class of litigants, and the description of suits brought before our Courts, has led me to decide that the root of the evil may be traced to the institution, when Nimar was first taken under British rule, of Civil Courts with the avowed intention, as Colonel Keatinge has stated, 'of making them popular with the mass of the people.' The result has been that, instead of attempting to check litigation by every fair and proper means, it was fostered and pampered to an unhealthy extent, till resort to the Civil Courts has now become among the people of Nimar a second nature.

" Creditors have also found, as the Judicial Commissioner has observed, the Civil Court a very convenient and *hitherto* inexpensive machinery at their disposal for conducting that part of their ordinary business which consists in collecting their own outstanding dues.

" During my year in Nimar I have frequently had occasion to notice, in connection with lands acquisition questions, a spirit of stubbornness far beyond legitimate independence, on the part of Nimarees, and a too great readiness to fly to the Civil Court.

" The use of any fair and legitimate means to make our Courts more inaccessible or rather less accessible than at present, must result in a healthier state of things amongst the money-lending mob than has hitherto existed.

[*Commissioner's Report, para.*11.] " In regard to Nimar. Here we have the very considerable, and under the circumstances highly gratifying decrease of 1,764 institutions (including re-institutions) as compared with the institutions of 1872. This is the first year that the tide of ever increasing exacting petty litigation has turned in Nimar, since 1867.* We have this year not merely a total decrease in litigation, but also that decrease is accompanied by increase in the average value of all suits, and specially by decrease in siuts of the lowest value. How this has come

Suits	instituted.
1867	5,541
1868	6,508
1869	6,752
1870	7,689
1871	8,551
1872	9,572

about and in what details the general decrease consists, is carefully explained in the Deputy Commissioner's Report, paras 18 to 32, which deserve careful reading, and to which I have nothing to adjoin by way of disagreement or criticism, excepting on one small point where I have made a note in the margin opposite para. 28. I think the Deputy Commissioner merits much credit for what he has thought out and done.

" Certainly nowhere more than in Nimar was the application needed of the principles enjoined in the Judical Commissioner's Circular IV. of 1872, and nowhere more than in Nimar have these principles been better applied during the year under report. I do not mean that these principles have been *neglected* elsewhere in the Division, but they have not been so *well* attended to, especially in the lowest grades of Courts as in Nimar."

Raipur District.

1872 ..374
1873...286

Decrease ..88 suits

There was a decrease of 23 per cent in the Court of the Tahsildar at Dhamtari, of which no explanation has been offered.

There was a decrease in all the Courts, amounting in the aggregate to nearly 19 per cent. The Deputy Commissioner expresses himself as not sure of the causes of this falling off, but refers to the failure of the autumn crops.

Bilaspur District.

	1872.	1873.	Decrease.
Bilaspur ..	1,261	1,042	219
Mungeli ...	842	715	127
Seorinarain ...	458	324	134
Total	2,561	2,081	480

Upper Godavari District.

1872 ... 277
1873 .. 252

Decrease ... 25 suits

There was a decrease in this district on an insignificant total.

Analysis of increase and decrease of litigation.

17. It has seemed well thus to analyse the increases and decreases of litigation by Courts and localities, because of the important dimensions which that litigation has in recent years assumed.

Evidently it would be premature to assign the rise or fall (even in the main) of that litigation to any one or two general causes.

The Commissioner, Nagpur Division, has some remarks worth quoting here.

[*Commissioner, Nagpur Division, para.* 10.] " It is often doubtful whether a bad harvest depresses or stimulates litigation, the fact being probably that it does both, *i. e.* its first effect is to reduce, and its subsequent effect to increase the number of disputes that find their way to our Courts. But of the effect of the failure of the rice crop in certain parts of the Bhandara District, viz. in the Tirora Tahsil and in parts of Bhandara, there can be no doubt whatever, and the fact being so clear will be of value in aiding us to trace the causes of similar effects hereafter."

" I offer the following for what it is worth. Taking the figures of the table contained at page 8 of the Judical Commissioner's Report for last year, from the year 1868*, and adding the figures for 1873, it may be thought that increase in litigation in each district bears a direct ratio to its advance in general prosperity. Thus while in Chanda, a district where the condition of the people is one of very slow improvement (when the questions which are now before the Government of India, in connection with its Settlement are determined, it will no doubt progress more

* *i. e.* the year before the check given by the famine.

rapidly) litigation moves forward with the slowest steps; and Balaghat is similarly stationary, the increase it shows this year being in great part due to the transfer of the Katangi Tahsil. Nagpur and Wardha, the two most prosperous districts of the Division, show a rapid advance in litigation, while Bhandara the least prosperous, an absolute decline. I do not of course intend to imply that litigation is a good thing *per se*. The best that can be said of it is that, like the consumption of spirits in England, it may indicate prosperity. Civil Courts—to borrow an old illustration—are the chimneys by which the smoke of social fires finds its exit, and where smoke is abundant we may perhaps assume that the fire of progress has been kindled and no longer lies smouldering in the social mass."

In fine it may be added that while fluctuations originate in both the badness and goodness of the times there is reason to conclude that in a degree they are also influenced by Judical weakness and vigour.

II.—Values of Suits.

Classification of suits according to value.

18. It is convenient to classify suits according to value as disposed of. Hence while the extent of litigation as treated above has regard to institutions, its character as to value falls to be treated with reference to disposals.

Relative value of suits disposed of.

19. The relative value of suits disposed of in the years 1872-73 are compared in the following table :—

Grades of value.	1872.		1873.		Percentage of total suits.		Average value.	
	Number of suits disposed of.	Total value.	Number of suits disposed of.	Total value.	1872.	1873.	1872.	1873.
		Rs.		Rs.				
Not exceeding Rs. 5	11,543	35,790	11,903	38,373	16·3	15·8	3·1	3 2
Do. 20	25,186	3,12,649	26,939	3,39,105	35·7	35·6	12·4	12·6
Do. 100	26,635	10,05,713	28,769	12,05,556	38·	38·	38	41 9
Do. 500	6,197	11,69,592	6,940	12,93,321	8 8	9·2	188	186
Do. 1,000	512	3,60,135	527	3,80,925			703	723
Do. 5,000	315	6,12,760	476	9,54,072	1·2	1·4	1,945	2,004
Do. 10,000	29	2,00,135	32	2,31,514			7,108	7,235
Exceeding Rs. 10,000	17	4,09,276	17	4,63,140			24,057	27,244
Total ...	70,434	41,12,050	75,603	49,06,006	100·	100·	58·5	64·9

Thus taking all Courts together the average value of every grade of suits except those between Rs. 100 and Rs. 500 has risen; and the total average value which had been decreasing in 1871 and 1872 has risen from Rs. 58½ in 1872 to very nearly 65, and this rise has occurred in every district except the three mentioned in the margin. In some districts, as in Jabalpur and Seoni, the average value has risen on account of a few exceptionally valuable suits. But it is satisfactory to find that generally the increased average value in 1873, is derived not only from a small addition to the number of suits of large values, but also in good part from the circumstance that suits of lowest values have not increased in number in so great a proportion as suits of the higher values.

Districts.	Average value in 1872.	Average value in 1873.	Decrease.
	Rs.	Rs.	Rs.
Nagpur	65·4	57·5	8·
Chanda	44·1	40·1	4
Narsinghpur ...	77·	63·4	13 6

Observations on values of suits by districts.

20. Dealing with Districts and Courts separately the following observations occur.

There was a large increase in the percentage on all suits, of suits not exceeding Rs. 5 in value in the Balaghat district (17·4 to 22·2), also in Chhindwara, (17·7 to 20·7); on the other hand there was a large decrease in the same in the Bhandara district, (24·1 to 19 4), (which however is still considerably above the Provincial average), in Jabalpur (13·5 to 11·2), in Nimar (19·5 to 16·6), in Hoshangabad (13·4 to 10·6), and in Betul (18·2 to 15·3). Of these districts Bhandara, Nimar and Hoshangabad were noticed in the report for 1872, as having a considerable increase in this lowest grade of suits.

The percentage of suits not exceeding Rs. 20 in value is 51. It was 52 in 1872. Among districts Bilaspur gives the highest percentage (66) of this grade of suits. In the Betul district it fell from 54·4 to 48·5. In 1872 Jabalpur and Nagpur (including the Court of Small Causes) showed the lowest percentages of this grade of suits. For 1873, however, the Nagpur percentage (57·5) is higher than that of any district except Bilaspur, Sambalpur, Chhindwara and Balaghat. Jabalpur also gives a higher percentage (48·4) than Hoshangabad (41·2), Narsinghpur (44·3), Wardha (46·4), and Sagar (46·7). This high percentage this year of the Nagpur district is due to the large increase, already noticed, in the number of suits of the lowest values in the Court of Small Causes at Nagpur, and to the decrease in the suits of higher values in the Court of Small Causes at Kamthi. Only 10·6 per cent of the total suits in these Provinces exceeded Rs. 100 in value. This is 6 *per mille* more than last year. The proportion is still highest in Hoshangabad (15·8), Jabalpur (14 7), and Sagar, (14 1). In Wardha, Narsinghpur and Raipur, it is also above the Provincial average, being 12 per cent. In Nimar it has risen considerably (from 6 3 to 8·2 per cent); but here as well as in Bilaspur, where notwithstanding the large decrease in the number of suits, it has fallen so low as 5·4 per cent, and in Chhindwara (6·4), Sambalpur (7·4), and Chanda (7·7), it is far below the Provincial average.

III.—Description of Suits.

Description of suits

21. The description of suits is registered on their disposal. Hence, as in the case of values, the subject of descriptions of suits has also to be treated with reference to suits disposed of.

Correct classification of suits

22. Special attention was continued during the year to the more correct classification of suits. Four Circulars* were devoted to the subject, and some further improvement effected.

*Circulars No. XXV, XXVI, XXX, and XXXIII

Comparison of number and proportion of suits, 1872 73

23. The following table comparing the number and proportion of suits of the principal kinds during 1872 and 1873, is prepared from Statement No. I.

Suits for	1872.		1873	
	Number of suits	Percentage of total suits	Number of suits	Percentage of total suits
Money due on bond or other contract ...	62,828	87 5	63,370	83 8
Recovery of moveable property on value thereof	3,906	5 4	6,523	8 6
Damages	1,388	2 0	1,768	2 4
Immoveable property ...	1,747	2 4	2,370	3 1
Rent not falling under the Rent law ..	980	1 4	733	1 0
Other claims	962	1 3	839	1·1
Total ...	71,811	100·0	75,603	100 0

The changes are mainly due to better classification, but there is a comparatively large increase in suits for immoveable property, which is probably real. The decrease in rent suits is probably due in part to the inclusion in 1872 of some suits which did in reality fall under the Rent law.

24. The distribution of suits under the several sub-heads of contract in the returns for the two years, is contrasted below :—

Distribution of suits under sub-heads, 1872-73.

Sub-heads of suits for money due for breach of contract.	1872.		1873.	
	Number of suits under each sub-head.	Percentage of total suits for money due for breach of contract.	Number of suits under each sub-head.	Percentage of total suits for money due for breach of contract.
On written obligation	35,780	57·0	37,028	58·4
On unwritten obligation	11,534	18·4	12,388	19·5
On account stated	1,783	2·8	1,431	2·3
For money paid or received... ...	1,267	2·0	1,083	1·7
For goods sold and delivered ..	9,702	15·4	9,554	15·1
For breaches of contract not included above	2,762	4·4	1,886	3·0
Total ...	62,828	100·0	63,370	100·0

The increase in suits on written obligation is probably real, as there is not much difficulty in determining whether suits come under this head or not. The increase is also probably greater than it appears, for in previous years suits of other descriptions were sometimes improperly included under this heading.

The variations in the other sub-headings, are probably due in part to better classification. And this is exemplified by the case of the Sambalpur District. In this district the records of all cases in 1872 have been re-classified during 1873, so that the system of classification has been the same for both years, and the result is that very little difference is exhibited in the proportion of suits of the various classes for the two years, whereas if the figures as originally reported for 1872 were taken considerable changes in proportion would appear.

Sambalpur District.

	Percentage as reported for 1872.	Percentage now reported for 1872.	Percentage for 1873.
SUITS FOR MONEY DUE.			
(*a*).—On written obligation ...	40·0	34·8	34·5
(*b*).—On unwritten obligation ...	12·0	15·7	16·3
(*c*).—For goods sold and delivered ..	13·0	13·0	18·3
Suits for recovery of moveable property or value thereof	4·5	11·1	12·9
Suits for damages	9·3	8·7	6·7

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25. The statistics of each district for 1873 for the main classes of suits are given in the following table:—

Classification of Suits under main heads.

Districts (Small Cause Courts figures being included.)	Total suits disposed of	For money due. On written obligation. Number.	Percentage of suits disposed of. 1873	Percentage of suits disposed of. 1872	On unwritten obligation. Number.	Percentage of suits disposed of. 1873	Percentage of suits disposed of. 1872	For goods sold and delivered. Number.	Percentage of suits disposed of. 1873	Percentage of suits disposed of. 1872	For recovery of moveable property or value thereof. Number.	Percentage of suits disposed of. 1873	Percentage of suits disposed of. 1872	For damages. Number.	Percentage of suits disposed of. 1873	Percentage of suits disposed of. 1872	For immoveable property. Number.	Percentage of suits disposed of. 1873	Percentage of suits disposed of. 1872
Nagpur ..	14,458	7,765	53·7	56·	2,231	15·4	15·	2,316	16·0	15·	708	4·9	3·4	218	1·5	1·	351	2·4	2·7
Chanda .	2,083	1,092	52·4	51·	218	10·5	9·7	176	8·4	7·	365	17·5	19·2	61	2·9	2·4	51	2·4	1·3
Bhandara ...	2,674	1,290	48·2	46·	287	10·7	9·9	244	9·1	5·	409	15·3	19·5	77	2·9	1·5	79	3·0	1·3
Wardha ...	6,122	3,211	52·4	53·4	1,148	18·8	33·	726	11·9	4·	529	8·6	6·	52	·8	·6	139	2·3	1·3
Balaghat ...	1,145	413	36·1	41·	246	21·5	16·	27	2·4	3·	244	21·3	27·2	54	4·7	3·	20	1·7	1·0
Jabalpur ..	4,726	1,981	41·9	41·3	695	14·7	14·4	826	17·4	17·7	161	3·4	1·5	143	3·0	3·3	199	4·2	4·7
Sagar ...	3,323	1,451	43·7	50·	317	9·5	13·	440	13·2	14·2	433	13·0	3·	53	1·3	1·3	146	4·1	3·5
Damoh ...	2,014	962	47·8	56·	283	14·1	12·	51	2·5	7·	415	20·6	7·	58	2·9	3·5	134	6·7	5·8
Seoni ...	1,733	681	39·3	46·	532	30·7	17·	139	8·0	8·8	118	6·8	6·3	78	4·5	2·3	42	2·8	1·3
Mandla ...	662	193	29·2	29·1	193	29·2	23·	93	14·0	23·	62	9·4	·6	46	6·9	7·	10	1·5	·3
Hoshangabad.	8,122	4,101	50·5	52·2	1,426	17·6	15·8	438	5·4	8·	1,174	14·5	3·3	89	1·1	1·2	250	3·1	1·7
Betul ..	3,315	1,674	50·5	48·	503	15·2	15·9	373	11·3	19·	151	4·6	2·4	112	3·4	2·	136	4·1	2·8
Narsinghpur.	6,597	3,908	59·2	58·	1,051	15·9	12	524	7·9	9·8	383	5·8	1·5	137	2·1	1·9	281	4·3	3·5
Nimar ...	8,594	4,622	53·8	51·	1,178	13·7	12·	1,667	19·4	27·	404	4·7	3·6	137	1·6	·5	180	2·1	1·6
Chhindwara.	3,623	1,702	47·0	51·	688	19·0	15·	450	12·4	8·	261	7·2	10·5	40	1·1	1·8	165	4·6	1·8
Raipur ...	2,617	795	30·4	33·	618	23·6	15·	334	12·8	11·	383	14·6	11·6	158	6·0	4·3	74	2·8	3·0
Sambalpur ..	1,474	508	34·5	34·8	240	16·3	15·7	270	18·3	13·	190	12·9	11·1	99	6·7	8·7	48	3·3	4·4
Bilaspur ..	2,062	604	29·3	33·	508	24·6	34·	385	18·7	17·	115	5·6	1·	152	7·4	6·2	63	3·1	1·0
Upr. Godavari.	259	75	29·0	33·	47	18·1	12·	76	29·3	27·	14	5·4	6·	9	3·5	3·	2	·8	1·0
Total ...	75,603	37,028	49·0	49·8	12,409	16·4	16·1	9,555	12·6	13·5	6,519	8·6	5·4	1,773	2·4	2·	2,370	3·1	2·4

The proportion of suits for money due on written obligation has slightly fallen. In Sagar, Damoh and Seoni the fall in the proportion of suits of this class is very considerable; in Mandla the proportion remains about the same; while in Raipur, Bilaspur and the Upper Godavari District, the proportion of such suits, which was already low in 1872, has fallen still lower during 1873. All this may not denote any change of importance in the class of litigation prevalent, but may in great part be accounted for by more correct and uniform classification resulting from Circular XXV. of 1873, and especially affecting the classification of suits with regard to grain. Suits for repayment of grain or of money value in default are now classed as for recovery of moveable property or value thereof; formerly suits of this description were often classed as for money due on written or unwritten obligation, and it is probable that the decrease in suits on written obligation is largely due to this more correct classification. This hypothesis is borne out by the large increase in suits for recovery of moveable property or value thereof. The percentage of suits of this description has increased from 5·4 to 8·6, and as a general rule in each district the fall in suits on written obligation is met by a corresponding rise in suits for recovery of moveable property or value thereof. Thus of the districts mentioned above as showing large decreases in suits on written obligation, Sagar, Damoh, Raipur and Bilaspur show a correspondingly large increase in suits for recovery of moveable property or value thereof, while all the districts which vary but slightly in suits of the former description show little or no increase of suits of the latter class.

The proportion of suits for money due on unwritten obligation is about the same for the Province as in 1872. The correctness of the large proportion of these suits shown against Wardha in 1872 was doubted, and the high percentage was attributed to wrong inclusion under this head of suits for money due for goods sold and delivered. This supposition is proved to be true to some extent by the large increase in this latter class of suits in 1873, corresponding to a large decrease in suits on unwritten obligation. In Bilaspur also there has been a decrease in this description of suits of 10 per cent, which is probably in like manner due to more correct classification. In Seoni and Mandla there has been a large increase in these suits. There seems nothing special to account for this in Seoni. The Deputy Commissioner has the following remarks on this subject: "The great increase has been under unwritten obligation, and the bulk of these "were in the Seoni Tahsili Court. I do not look on this increase with any "satisfaction. It is I believe well known that gambling debts are often re "covered in this way. Also these suits are often brought in order to spite the "defendant, there being no foundation in fact. A false bond demands a certain "amount of deliberation, but these are often brought on the spur of the "moment." In Mandla the increase is corresponded to by a decrease in suits for money due for goods sold and delivered, and probably there still is wrong classification somewhere. But the remarks of the Deputy Commissioners on classification are meagre. The percentage of suits for money due for goods sold and delivered has fallen on the whole from 13·5 to 12·6; it is extremely low in the Hoshangabad, Damoh, Narsinghpur and Balaghat districts. On the Damoh figures the Commissioner remarks:—"If the percentages under goods sold and "delivered are correct they show an almost complete stagnation of trade in "Damoh, being another indication of the poverty of the district." The fall of suits of this class and the decrease of average value of suits in Narsinghpur seem to militate against the reason assigned by the Deputy Commissioner and Commissioner for the increased litigation in that district, namely the increasing "importance of Gadarwara as a mart and trade depôt."

The low percentage in Hoshangabad is remarkable, the more so as it arises out of an absolutely smaller number of suits as well as out of their proportion

to all suits The increase in suits for moveable property or value thereof may be attributed to the inclusion under this head of suits for grain debts, and this is stated to be the case in Chanda, Balaghat, Sagar, Damoh and Sambalpur.

Suits for immoveable property have increased in all districts, except Nagpur, Jabalpur, Raipur and Sambalpur. Suits for damages have also slightly increased. In Nagpur, Sagar, Hoshangabad, Nimar and Chhindwara suits of this class form but a very small percentage of the litigation.

IV.—Description and value (together) of suits.

Exhibition of suits according to description and value.

26. The new system of Court Statistical Registration, referred to in para. 14 above, enables for the first time the litigation to be viewed in connexion with its description and value together as well as separately (*vide* the lower portion of Statement I.)

Relative value of the principal description of suits.

27. The table below shows the relative value of the suits of the principal descriptions :—

Description of suit.	No.	Percentage of Suits not exceeding				Suits above	
		Rs. 5	Rs. 20	Rs. 100	Rs. 500	Rs. 500	Total
On written obligation ...	37,028	3·9	32·9	50·2	11·5	1·5	100
On unwritten obligation ...	12,409	27·5	43·3	24·4	4·2	·9	100
For goods sold and delivered ..	9,555	41·6	40·3	15·5	2·4	·2	100
For moveable property or value ...	6,519	15·6	37·8	36·8	8·8	1·	100
Damages ...	1,773	17·1	36·4	39·2	6·1	1·2	100
Immoveable property ...	2,370	16·8	28·	35·1	15·4	4·7	100

As might have been expected, the proportion of suits of small value appears greater in the case of suits for money due on unwritten obligation and for goods sold and delivered than in the case of suits on bonds. The percentages of these three descriptions of suits below Rs. 20 in value are as follows:—

Suits for money due on bond	..	...	36·8
Do. do. on unwritten obligation		...	70·8
Do. do. for goods sold and delivered		...	81·9

Thus it would seem that the price of goods sold when exceeding Rs 20 is generally secured by bond. Contracts of money value less than Rs. 5 are rarely secured by bond.

The proportion of suits for damages below Rs. 20 in value is 53·5, which result is unsatisfactory, as showing that claims for damages are often made without serious cause. The similar percentage (45) of suits for immoveable property is at first sight striking. But the property litigated is often of very trifling value. The following is a detail of the suits in the Courts of the Nagpur district for immoveable property.

Villages and shares in villages	...	23
Plots and fields and shares therein	...	90
Trees	..	46
Sites and pieces of ground in towns	...	42
Houses	...	150

And those in Chhindwara are reported as for "wretched huts."

C.—The General Distribution and Result of Trial of Civil Suits by the Courts of Original Jurisdiction.

I.—Distribution.

28. The following table shows how suits disposed of were distributed among the different classes of Courts in the several districts :—

Total number of Judges.		8	10	50	29	19	116
Districts.		Small Cause Courts.	Naib-Tahsildars.	Tahsildars.	Assistant Commissioners.	Deputy Commissioners.	Total.
Nagpur ...		8,183	1,938	3,295	1,033	9	14,458
Chanda ...		...	111	1,285	683	4	2,083
Bhandara ..		...	...	1,423	1,242	9	2,674
Wardha ...		...	2,490	1,996	1,607	29	6,122
Balaghat ..		...	31	868	237	9	1,145
Jabalpur ...		2,708	555	1,138	311	14	4,686
Sagar ...		439	528	1,375	973	8	3,323
Damoh ...		...	...	789	1,222	3	2,014
Seoni ..		...	...	1,331	387	15	1,733
Mandla ...		...	...	375	282	5	662
Hoshangabad ...		...	183	5,198	2,722	19	8,122
Betul ...		...	500	2,039	758	18	3,315
Nimar ..		147	...	2,643	5,735	69	8,594
Narsinghpur ...		..	2,193	2,588	1,811	5	6,597
Chhindwara ..		...	47	3,022	543	11	3,623
Raipur ...		...	...	1,841	764	12	2,617
Sambalpur ...		...	...	1,230	242	2	1,474
Bilaspur ...		...	...	1,934	113	15	2,062
Upper Godavari ...		...	...	116	...	143	259
Total ...	1873	11,477	8,576	34,486	20,665	399	75,603
	1872	11,317	8,660	22,268	27,914	275	70,431
Percentage...	1873	15·2	11·4	45·6	27·3	·5	100
	1872	15·8	12·4	31·7	39·7	·4	100

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The following table shows the proportions in which suits of the several grades of value were disposed of by the various classes of Judges.

Judges.			Registrars of Courts of Small Causes.	Judges of Courts of Small Causes.	Naib Tahsildars.	Tahsildars.	Assistant Commissioners.	Deputy Commissioners.	Total	Remarks.
Number of Judges.			2	6	10	50	29	19		
Salaries of Judges.			Rs. 160 and 250	Rs. 700* to 1,128.	Rs. 50 to 75.	Rs. 130 to 200.	Rs. 500 to 700.	From Rs. 1,000 to 1,833.		
Grades of value of Suits.		Total number of suits disposed of	Percentage of suits disposed of before each class of Judge.							
Not exceeding Rupees	5	11,903	16·9	5·3	13·1	54·	10·2	·5	100·	* Excluding the Judge Assirgarh Cantonment, who receives Rs. 200 Staff allowance.
Do.	20	26,939	12·4	5·1	15·4	47·9	18·9	·3	100·	
Do.	100	28,769	...	11·8	10·0	45·6	32·5	·1	100·	
Do.	500	6,940	...	9·9	...	29·7	59·9	·5	100·	
Do.	1,000	527	...	8·5	...	...	90·2	1·3	100·	
Do.	5,000	476	...	...	...	...	72·9	27·1	100·	
Do.	10,000	32	...	...	...	...	...	100·	100·	
Do.	100,000	16	...	...	...	...	...	100·	100·	
Exceeding	100,000	1	...	...	...	...	...	100·	100.	
All Grades	1873...	75,603	7·1	8·1	11·4	45·6	27·3	·5	100·	
	1872...	70,434	6·8	9·	12·4	31·7	39·7	·4	100·	

The most striking feature in these tables is the large transfer of work from the "Court of the Assistant Commissioner" to the "Court of the Tahsildar," owing to the abandonment of the single Court system under Chief Commissioner's Book Circular II. of 1873, and it seems appropriate to give here the more studied notices of the results of that Book Circular ,which are contained in the local reports.

[*Jabalpur Division Report, para.* 10] "The reports of Deputy Commissioners are generally in favour of the working of the new system introduced by Chief Commissioner's Book Circular No. II. of 1873. It has increased appeals to Deputy Commissioners (though not so much as was feared) in consequence of the comparative facility of appealing at District head-quarters. On the other hand, it has been of service in setting free the time of the Senior Assistants, who are now able to render more help than formerly in executive matters. This is an important gain, in small districts especially. The system is also said to have the advantage of simplifying procedure in petty cases, for Pleaders do

not resort much to Tahsildars' Courts, and hence their interference in petty litigation is now much diminished. Probably these cases are now decided less systematically and regularly than in the Station Courts, but this undoubted disadvantage is to some extent modified by the advantage which a somewhat rough, elastic procedure has for uneducated suitors. The drawback to the decision of petty Civil cases by Tahsildars is perhaps not so much in their want of Judicial skill and training, but in the multiplicity of their other avocations."

[*Jabalpur District Report, para.* 2.] "One essential change was introduced during the year in accordance with the instructions contained in the Chief Commissioner's Book Circular No. II. of 1873. The single Court system, which restricted the disposal of Civil Suits of all values to one Court was abandoned, and the business hitherto performed by the Station Court (at the Sadar Station) was apportioned between the Courts of the Assistant Commissioner of the 1st grade and of the Tahsildar of Jabalpur.

"The alteration took effect from the 17th February 1873, since when the work of the Civil business has been disposed of by the two Courts above noted. One advantage of the change is that the services of an experienced Assistant have been greatly set free to aid the Deputy Commissioner in his other functions.

"The increase of work falling to the share of the Deputy Commissioner has not been so marked as might have been and previously was anticipated from his being charged to hear all the appeals in cases under Rs. 300 decided by the Tahsildar.

"The cause of this is that it did not always happen that the Station Court was presided over by an Assistant with full powers, appeals from whose decision would necessarily lie to the Court of the Commissioner. The practical outcome of the measure for 1873 has been this: two Station Courts have been working during the year, the appeals from the superior of which have lain to the Commissioner, while the decision of those from the inferior was devolved on the Deputy Commissioner.

"It is very clear that even under the single Court system the Deputy Commissioner might and often had as much, if not more appellate business than the new arrangement imposes upon him. From this point of view it may be concluded, however unexpectedly, that no very serious addition has been made to the Civil appellate work of the Deputy Commissioner's Court.

"The practical disadvantages attending the alteration are chiefly in the fact that the already fully occupied Tahsildar of Jabalpur has more work thrown upon him than he can satisfactorily and thoroughly dispose of.

"All possible relief has been afforded by the removal as far as possible from the Tahsildar's Court of Revenue and Criminal Judicial work—a measure, however, to my mind of somewhat dubious advantage, as much of a Tahsildar's ability is derived from the experience and knowledge gained in the disposal of Revenue and Criminal Judicial work.

[*Nimar District Report, paras.* 6, 7.] "As reported to you in my No. 262, dated 23rd January, the general provisions of para. 5, Chief Commissioner's Book Circular II, of 1873, appeared inapplicable to this district. Were the rule laid down by the Chief Commissioner applied to Nimar the weight of the Civil work at Khandwa would fall too heavily on the Tahsildar; or were he relieved the Assistant or Extra-Assistant would, the one be overwhelmed, the other left without any Civil work at all or at least with almost none.

"With your approval therefore the rule in question was in this district modified as follows:—

Khandwa.	Tahsildar	Suits of Rupees	10	and		under.
	Junior Assistant	"	"	10	to	20
	Senior do.	"	"	20	to	1,000
	Deputy Commissioner	"	"	over		1,000

Burhanpur.	Tahsildar,	Suits of Rupees	10 and	under.
	Assistant Commissioner,	" "	10 to	1,000
	Deputy Commissioner,	" "	over.	1,000

Mortaka.	Tahsildar,	Suits of Rupees	300 and	under.
	Senior Assistant Commissioner, Khandwa	"	300 to	1,000
	Deputy Commissioner,	" "	over	1,000

"This modified arrangement has been found in practice to work well, the services of Assistants being thereby most advantageously utilized, its only weak point being that the Tahsildar of Khandwa has still too much Civil work. During the cold season the miscellaneous duties entailed on the Tahsildar by the almost constant passage of troops make it often very inconvenient to have him tied to his Kacheri. From November to March I should like to see him relieved of all Civil work which during that time could be entrusted to his Naib (the suits being of so trifling a nature). As a rule, however, the Tahsildars of all 3 sub-divisions have been able to set apart 2 or 3 days in each week for their executive work."

[*Narsinghpur District Report, para.* 5.] "The change made in the constitution of the Station Court has I think on the whole been advantageous. It certainly has not caused any inconvenience or harassing of the people in the matter of discovering in what Courts their suits were instituted, and it has enabled me to make a much more equable division of labour between my two Assistants than was formerly possible; and this would even have been more so if my Native Assistant had had some slight acquaintance with English, which unfortunately he does not possess, and which in Executive matters renders him far less useful than he otherwise might be"

[*Damoh District Report, para* 17.] "In August the Court of the Tahsildar of Damoh was opened for the trial of the suits of the Damoh parganna up to the value of 100 rupees. This at once relieved the Station Court, and indeed I think the new Court took too much of the litigation up, giving the Tahsildar more almost than he could manage, and I am about to limit his cases to those for values of 50 Rupees and under. With this distribution, and if at the same time the powers of the Tahsildar of Hatta, who is a good Judicial officer, could be increased, the work will be so distributed that it can be more satisfactoily preformed, and things will be more convenient to litigants."

Remarks on the distribution of business

29. The distribution of business is in the hands of the Deputy Commissioner, and is almost entirely beyond the control of the Judicial Commissioner. From a Judicial point of view its downward tendency cannot be approved. But until the Civil Judiciary be separated from the Executive branches of the Administration (and this subject was broached during the year) improvement seems impossible. Meantime the shifting of Civil Judicial duty from "Courts of the Assistant Commissioner" to Courts of the Tahsildar" must apparently be succeeded by a further shifting of it from "Courts of the Tahsildar" to Naib Tahsildars. At Bilaspur 880 suits were disposed of in the Court of the Tahsildar, and the Deputy Commissioner proposes that the bulk of the business (consisting of suits not exceeding Rupees 50 in value) should in future be disposed of by a Naib Tahsildar, "in order to leave the Tahsildar free for Criminal and Executive work; and the Deputy Commissioner of Raipur has similar proposals (*vide* para. 3 above) in order to "increased efficiency in other branches of administration" attained by "freeing the Tahsildars from petty Judicial work." This only need be added by the Commissioner Narbada Division (para 12);—

"In Nimar we find that the Courts of the Extra Assistant, and Assistant Commissioners did the largest share of the work. In every other district in the Division, the

reverse of this was the case, the largest share of the work falling to the Tahsildars and Naib Tahsildars and the lesser share to the Assistant and Extra Assistant Commissioners. Perhaps the fact that on the whole the best results generally in the Division are in Nimar may to some extent be accounted for by the large quantity of business disposed of by Courts above those of the lowest grade."

"And again in reference to apprehension caused by certain unfavourable features in the Chhindwara Statements, 'this feeling is rather intensified by the reflection that that the great majority of all suits in Chhindwara were decided by the Courts of the lower grade.'"

II.—Results of trial.

30. The general results of the trial of the 75,603 suits disposed of were:—

	Number of suits.	Proportion per cent.	Corresponding proportion per cent in 1872.
Plaints rejected or returned	372	·5	·6
Transferred to other districts or Small Cause Court jurisdiction	15		
Disposed of without Contest.			
Decreed on confession	19,220	25·4	25·3
Dismissed for default	14,667	19·4	18·3
Compromised	11,260	14·9	16·1
Decreed *ex parte*	8,906	11·7	14·7
Withdrawn with leave	860	1·3	1·3
Dismissed *ex parte*	403	·5	·3
Total uncontested ...	55,316	73·2	76·
Contested and Judgment given for.			
Plaintiff in whole	8,493	11·2	9·5
Do. in part	6,378	8·4	7·6
Defendant in whole	5,029	6·9	6·3
Total contested ...	19,900	26·2	23·4

The most remarkable feature in this table is the increased proportion of contested suits. The excessive proportion of uncontested suits has been a cause of some anxiety, and during the last two years various instructions have been issued with a view to effect any legitmate reduction of which it might by more careful Court practice be found susceptible. The rise in the proportion of contested suits from 23 per cent to 26 per cent is therefore *prima facie* a source of satisfaction.

The decrease in the uncontested suits which appears to have the closest natural correspondence with this increase in the contested suits is that which has occurred in suits decreed *ex parte*, and this too supports the view that the increase in contested suits may have arisen from defendants having now a somewhat

greater hope of benefit by appearing and contesting claims made against them engendered by less perfunctory treatment of petty cases by the Courts.

General view of results

31. The following table shows the proportions of contested suits in Districts and Courts of Small Causes for 1872 and 1873.

Districts and Small Cause Courts.	1872	1873
Nagpur	20·4	24·9
Principal Court of Small Causes, Nagpur	23·6	22·5
Court of Small Causes, Kamthi Cantonment ..	20·3	23·0
Chanda	28·4	27·5
Bhandara	19·2	28·4
Wardha	22·2	22·0
Balaghat	24·0	21·1
Jabalpur	35·9	29 5
Principal Court of Small Causes, Jabalpur	40·2	47·7
Court of Small Causes, Jabalpur Cantonment ..	38·3	56·5
Sagar	32 3	27·4
Court of Small Causes, Sagar Cantonment	27·1	31·8
Damoh	18·6	29·6
Seoni	21·0	32·0
Mandla	25·0	26·9
Hoshangabad	19·9	23·7
Betul	20·6	23·5
Narsinghpur	28·0	24·5
Chhindwara	21·2	22·5
Nimar	17·3	26·7
Court of Small Causes, Asirgarh Cantonment ..	12·0	21·7
Raipur	30·0	32·0
Sambalpur	32·2	29·6
Bilaspur	20·7	28·2
Upper Godavari	32·7	28·9
Total ..	23·4	26·2

The extreme instances are given in greater detail in the following table (extracted from Statement III.)

District or Court.		Percentage of uncontested suits, exclusive of withdrawn, rejected &c.,				
		Dismissed for default	Compromised	Confession.	Ex parte.	Percentage of contested suits.
Bhandara	1872	20	12	32	14	19
	1873	14	12	34	9	28
Damoh	1872	15	22	32	11	19
	1873	14	16	29	10	30
Seoni	1872	20	15	29	11	21
	1873	20	15	23	8	32
Nimar	1872	19	14	22	26	17
	1873	18	9	25	19	27
Bilaspur	1872	14	20	31	12	21
	1873	29	16	17	8	28
Narsinghpur	1872	18	11	24	18	28
	1873	26	11	22	16	24
Jabalpur	1872	15	15	18	13	36
	1873	22	15	20	11	30
Sagar	1872	15	18	21	12	32
	1873	15	18	26	10	27
Small Cause Court, Nagpur	1873	12	23	24	16	22
Do. do. Jabalpur City ..	1872	25	12	13	7	49
	1873	25	9	11	4	48
Do. do. Jabalpur Cantonment.	1871	5	12	45	6	29
	1872	5	11	40	4	38
	1873	4	9	26	2	56
Do. do. Kamthi	1873	10	17	46	3	23

In the above table the first 5, and the 10th and 11th are satisfactory instances of considerable increase in the proportion of contested suits. In Bhandara, suitors have put in appearance more constantly chiefly to contest and only in a small degree to confess.

In Damoh also appearances in order to contest rather than to compromise or confess have been proportionately more frequent. So in Seoni and Nimar, defendants have appeared in grater proportion to contest rather than bear decree *ex parte* or appear merely to (Seoni) confess or (Nimar) compromise. In Bilaspur there is ground for hope that especially when viewed in conjunction with the increased proportion of contests, the sudden increase in dismissals for

default indicates more frequent settlements out of Court on comparatively easy terms. For although the proportion under dismissal in default now stands higher in Bilaspur than in any other district or Court of Small Causes* the Deputy Commissioner has heard no complaints on this subject and surmises nothing wrong, on the contrary he has had to particularly warn some of the Courts against letting cases lie over when they ought to be dismissed in default, and notes that applications for rehearing are very rare; and in the Courts of Small Causes at Jabalpur the main tendency was to contest instead of compromising or confessing.

*In Mandla it is nearly as high and in Hoshangabad and Narsinghpur it stands at 26, and in Balaghat and in the Jabalpur Small Cause Court at 25 per cent.

On the other hand, while the instances (sixth, seventh and eighth) given in the above table of a decreased proportion of contested cases are *prima facie* bad, the detailed figures in the reports do not afford extenuation.

Manner of disposal of business.

32. On a full consideration of the figures for Districts and Courts, it is clearly seen how largely the general results of trial are influenced by the particular manner in which individual Judges address themselves to the disposal of business. The difference between the results in the Courts of Small Causes at Nagpur and Kamthi on the one hand and those in Court of Small Causes at Jabalpur on the other hand must be largely referrable to differences of Judicial method, and the general conclusion on this head is amply supported by the following extracts from the local reports.

[*The Commissioner, Nagpur Division.*] " The Officers whose Courts have been remarkable for the number of cases disposed of *ex parte* are * * With regard to the Nagpur officers, I feel some confidence that the disposals *ex parte* were due to causes beyond their control, and which the District Report more or less explains. But I do not feel the same confidence with regard to Mr. * * and I have requested the Deputy Commissioner to review his decided cases for the last 3 months. Mr. * * has long been noticed for the dilatoriness of his procedure " (And para 22.)—" It is singular that confessions in the Nagpur Tahsil are so greatly more numerous than in the Station Court. The Deputy Commissioner might enquire regarding this. His attention has already been given to the figures under the same head at Katol."

[*The Deputy Commissioner, Nagpur, paras.* 24, 25, 26 *and* 28.] "The proportion of suits decreed on confession was almost exactly the same in the two years, being 26·7 in 1873, against 26·6 in 1872, a proportion higher probably than should have been obtained. The Courts which show worst in this respect are—

Tahsildar	Katol,	..	34·7 per cent.
Do·	Nagpur	...	31·6
Naib Do.	Katol	..	27·6

" The proportion of suits dismissed for default was also high, being 16·0 per cent, as compared with 15·2 in 1872.

" In the Court of the Naib Tahsildar of Ramtek the proportion was clearly excessive, being 35·5 per cent; and it was also improperly high in the Court of the Tahsildar of Ramtek, where 21·3 per cent of the suits were so treated.

" The matter will have my attention when I visit the Tahsil.

" The proportion of suits compromised was 17·8 per cent, against 18·5 in 1872. In the Katol Courts however the proportion was exceedingly high, namely Naib Tahsildar 32·5 per cent, Tahsildar 25·0 ; and this it will be recollected was in addition to a still larger percentage of suits decreed on confession by these Courts."

" The smallest proportion of contested suits was in the Katol Courts, where the percentages were,

Naib Tahsildar	..	16·2
Tahsildar	..	18·5

furnishing as I think another proof of the necessity for specially watching the course of litigation in this Tahsil."

[*The Deputy Commissioner, Chanda, paras.* 24 *and* 20] "It seems strange that the proportion of contested suits remained very low under three successive Tahsildars at Warora, including one Gungadhar Malhar, before whom the proportion of contested suits in a subsequent Court, Mul, was above the average, whereas out of 111 petty suits transferred at one time to the Naib Tahsildar of Warora for decision the proportion decided by contest rose to a full average. The proportion of contested suits in the Court of the Tahsildar, Brahmapuri, was so high as 62 per cent. This supports the Tahsildar's explanation that the decrease of litigation at Brahmapuri is due to the people learning, from his attention to the instructions of the Judicial Commissioner's Circular IV of 1872, that they gain nothing by instituting suits when they might just as well settle their claims out of Court. I have myself seen several of the Tahsildar's cases and have been struck by the care which he takes to ascertain and exhaust the points of difference between litigating parties.

" The District proportion of suits dismissed for default has risen 4 per cent, but is still 2 per cent below the Provincial average last year. The proportion of suits thus disposed of is, however, exceptionally high in the two following Courts :—

	Suits disposed of.	Suits dismissed for default.	Percentage of total disposed of.
Tahsildar Narain Rao	354	102	29
Mr Gur Pershad	683	145	21
Thus contrasting remarkably with the results before, Tahsildar Nago Rao, Warora	400	28	7
Tahsildar Madho Rao Jaggannath, Brahmapuri	317	15	5

" 30 out of the total 102 suits dismissed for default at Mul were thus disposed of during one month,—July, being nearly half of the total 68 suits decided by the Tahsildar that month. Excessive dismissals for default are believed to be generally due to vexatious delays in disposal of suits by the Courts, and the above 30 suits were examined to see if this explanation applied, and with the following results :—

No of hearings.	*No. of suits.*	*Average duration.*
3	2	37
2	7	53
1	21	15

" These figures seem to show that the Tahsildar was in the habit of fixing hearings for too distant dates, but do not account for the exceptional proportion of dismissals by default. But it is observed that between the 16th and 19th July 12 suits were dismissed for default, in 7 of which 1 person and in 4 of which 1 other person were plaintiffs, both Komties of Chamursi. As only one of the whole 30 cases was subsequently re-instituted, it seems probable that in July, rains may have had something to do in inducing an exceptional proportion of compromises out of Court.

" As the Station Court Judge is an officer of experience, remarks on the results of his Court are deferred pending receipt of a memo. which he has been requested to prepare under the authority of the footnote to page 225, Volume I, Judicial Commissioner's Circulars 1862-72, and in which he has been desired to offer explanation in respect of the above and other results noted in this report as peculiar to his Court "

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[*Commissioner, Jabalpur Division, para.* 38.] "The re-institutions in the Courts marginally * noted have been most numerous. The Deputy Commissioners have assigned no reasons for these large numbers, but judging from the number of suits disposed of in default† in some of these Officers' Courts, it is very probable that sufficient attention is not paid to the orders on the subject, and that suits are sometimes dismissed in default for insufficient reasons."

Ali Hussain Khan, Extra-Assistant Commissioner, Sagar	.. 20
Mahmud-ul-Husan, Tahsildar, Jabalpur	.. 20
Balwant Rao, Tahsildar, Seoni	. 15
D. Sinclair, Extra-Assistant Commissioner, Damoh	... 16
Jhuni Lal, Tahsildar, Hatta	... 13

	Instituted.	Dismissed in default.	Per cent.
† Maulavi Ali Hussain	622	88	12·
Tahsildar Mahmud-ul Husan	561	106	18
,, Balwant Rao	813	177	21·
,, Jhuni Lal	476	119	25·
Mr. Sinclair	1,179	131	11·

[*Deputy Commissioner, Jabalpur, para.* 14.] "It will be observed that the number of suits dismissed for default is abnormally high in the Court of Mozaffer Ali, Naib Tahsildar. Generally such dismissals were comparatively higher in the Court of the Tahsildar of that place than in the other District Courts, and this peculiarity has been preserved both when it was presided over by Takhat Singh and Mahfuzul Bari; less so, however, before the present Tahsildar, being 19·7 to Takhat Singh's 26·, who was only in charge of the Tahsili during the first three months of the year. These very differences, however, indicate that the cause of the high percentage (36·9) in the Court of the Naib-Tahsildar is to be looked for elsewhere than in the habits of the litigants in that Tahsili."

[*The Deputy Commissioner, Damoh, paras.* 19 *and* 21.] "The number of cases dismissed for default has increased from 194 to 288 or by 94 or 4·6 per cent on the number disposed of. The percentage of this kind of cases was highest in the Hatta Tahsili Court, 24·5 ; and next highest in the Station Court, 12·8 ; and in Damoh Tahsili Court it was only 1·2.

"The action of the Hatta Court in this respect appears to have been unsatisfactory. The Tahsildar explains 'that the suits in his Court are generally based on written obligations, and instituted without the debtors having been called on for payment, for there is no doubt that when the provisions of Judicial Commissioner's Circular No. XXIV. of 1873 are carefully attended to, the money dealing suitors have every inducement to settle out of Court those cases which used formerly to be instituted before the debtor had been called upon for payment. That the institution of the suit is generally sufficient to induce the debtors to come to terms, and that in consequence the further prosecution of the suit is not necessary, and that it is allowed to be thrown out in default of attendance,' but there must be perhaps a little tendency to hastiness in throwing out such cases. This point was noticed in the Statement of the quarter ending September, when the percentage of this kind of suits was 26, and an improvement has been effected. I hope that further improvement will be shown next year.

"There is an actual increase of 167 in the number of cases decreed on confession, but the percentage to the total of cases disposed of is smaller than last year, being 28 per cent to 32 in last year. The high percentage of cases of this kind is to be expected when you consider that the generality of suits brought forward in our Courts in this district are based on bonds, and that many of the more ignorant of the defendants consider it useless to contest them, more especially when pleaders are employed; but that there is no doubt that many of these cases are contestable, that a little careful questioning as to the details of the account brings to light all kinds of impositions and additions to the debt which can be struck out in making the award

"It was discovered in the 3rd quarter of the year on inspection of the misls, that confessions were not verified by the Courts as fully and thoroughly as required by paras. 41 and 42 of Civil Report for 1871. The attention of the Courts was then called to the provisions of the Sections above noted, and the matter has been carefully kept in view."

[*The Deputy Commissioner, Sagar, paras.* 77 *and* 82.] "The largest increase in the number of the suits dismissed for default, as might be expected, is in the Court of the Tahsildar, Abdul Majid, who appears to have dismissed nearly one-fourth of the cases instituted in his Court. I am inclined to think that it is no doubt in some cases due to defective procedure, and great laziness and procrastination. You are no doubt aware that his procedure still requires much improvement.

"The higher proportion of confessed cases is in the Court of Tahsildar Abdul Majid. I regret that I cannot assign any other satisfactory reason than what has been recorded in this office letter No. 2274 of the 23rd September last, stating that there is still great carelessness in his procedure."

[*Commissioner, Narbada Division, para.* 14.] "On the whole, the large number of confessions and compromises in Chhindwara give rise to some uneasiness, and doubts as to whether *all* the Courts have fully acted on the principles enjoined by the Judicial Commissioner in the two well-known Circulars IV. of 1872 and XXIV. of 1873."

[*Deputy Commissioner, Nimar, para.* 37.] "The percentage of cases decided *ex parte* and compromised have fallen very considerably, and this I consider argues better action on the part of the Courts. As regards these, I append extract from Mr. Nedham's memo. on the working of the Burhanpur Courts, which also I think may be taken as applicable to the Civil Courts of the district generally both as to the decrease in *ex parte* and compromised cases, and to the increase of contested suits:—

"'In uncontested cases, I observe this peculiarity, viz., that whereas the proportion dismissed in default, compromised, and decreed on confession, remains about the same as last year, the percentage decreed *ex parte* is only about half of that for last year, *i. e.*, is 12· now compared with 24·5 in 1872. This may, I think, be explained by the fact that defendants who admitted claims, and would formerly have thought it useless to appear, seeing the Court ready to inquire into the matter of costs, and award instalment decrees when equitable, have been induced to come forward, and either contest liability to costs or pray for an instalment decree, as the case may be. This while reducing the number of *ex parte* cases would to a slight extent have increased the contested ones, and to a large extent have increased the confession ones. But the proportion of confession cases remains about the same, therefore the confession percentage while receiving the addition of a certain number of what on the old procedure would probably have been *ex parte* cases, must have been relieved in the same ratio of cases which now appear under the heading contested. This may be explained I think by the fact that owing to the Judicial Commissioner's Circular before quoted apart from the awarding of costs more attention has probably been paid to sifting confessions and accepting them with reservation; for my own part I seldom believe in them at first, and make defendants repeat themselves the exact sum admitted to be due, and explain how they arrive at the conclusion that all is correct. I would also quote the memo. issued by the Deputy Commissioner about Civil Judges fully satisfying themselves of personal or due service of summons, as another reason for the decrease in proportion of *ex parte* cases."

And generally, the reports, by showing that Commissioners and Deputy Commissioners apprehend individual defects of Subordinate Judges, give hope of further general improvement through more even practice under the instructions which have been issued.

Contested suits.

33. Although on all suits the percentage of contested suits decided partly or wholly in favour of defendant rose from 13·9 to 15·3, yet on contested suits alone that percentage fell from 59·4 to 57·3, the numbers being in 1872, 10,076 suits, out of 16,957, and in 1872, 11,407 suits, out of 19,900. This was to be expected, more especially as the proportion of contested suits has increased chiefly through accessions from headings, including those suits in the mass in which defendants' cases are more or less bad.

34. The following table comprises what is most noticeable in Statement III., (Columns 21 to 26) on this head :—

Disposal of contested suits.

District or Court.	Percentage of contested suits decided in favour of			
	Plaintiff in whole.	Plaintiff in part.	Defendant in whole.	
Provincial average ...	42·7	32·1	25·2	
Nagpur District ..	52·	24·	24·	In these districts the plaintiffs came off especially well.
Sagar District ...	50·	28·	22·	
Damoh District ..	60·	20·	20·	
Nimar District ..	51·	29·	20·	
Chanda District ...	31·	44·	25·	Here plaintiffs were largely made to concede something in defendants' favour.
Jabalpur Court of Small Causes, City ...	31·	46·	23·	
„ Cantonment ..	12·	74·	14·	
Mandla District ..	28·	43·	29·	
Balaghat District ..	34·	30	36	And here were defendants most fortunate.
Sagar Cantonment, Court of Small Causes ..	26·	42	32	
Raipur District ..	31·	38	31	
Bilaspur District ...	31·	38	31	

The large measure of success which plaintiffs met with in Nagpur, Damoh, and Nimar might be held to detract from the credit taken for an increased proportion of contested suits. The practice of the Jabalpur Courts of Small Causes, which is thus brought out, of making plaintiffs concede to defendants something out of their whole claims at once accounts for their exceptionally high proportions of contested suits.

The success of defendants in contested suits naturally contributes to prevent excessive litigation, and in all the Districts and Courts as above where defendants have been specially successful business during the year either fell off or remained stationary. In Chanda, this regard for defendants' interests is avowedly the reason for the falling off of business in the Court at Brahmapuri.

The success which defendants had in Balaghat would seem to show that the contested suits, which were in comparatively small proportion in that district, comprised chiefly the good claims, and in a degree extenuates the discredit which *prima facie* attaches to a specially low proportion of contested suits.

35. In May 1873 the Judicial Commissioner instructed the Courts in respect of issuing commissions either for local investigation or for investigation into accounts in the following terms (Circular XXII of 1873), "references were made to Commissioners under Sections 180, 181, Code Civil Procedure, in respect of matters "which would be more efficiently and expeditiously dealt with by the Courts "without such reference. This should of course be avoided. The references are "sometimes induced by apparent complexities, the exact nature of which the Court "has not yet apprehended. But obviously they should not be made until the "Court has definite ground for judging that they will be advantageous."

Issue of commission for local investigation &c.

Statement III. columns 37, 38, show that commissions are still issued in the Nagpur, Bhandara and Wardha District Courts with exceptional frequency. The Deputy Commissioner of Wardha has promised to check any excessive tendency in this direction in future. The Deputy Commissioners of Nagpur and Bhandara do not notice the subject, and their attention has again been drawn to the above quoted Circular.

In 363 cases the decision was given on the oath of party or witnesses under the provisions of Sections 9 to 11 of the Oaths Act. 96 of these cases occurred in the Court of Small Causes, Nagpur.

36. In 4,026 suits costs were awarded against a winning plaintiff, and in 6,280 suits the amount decreed was ordered to be paid by instalments. On this subject the following extracts from the local reports are made :—

Decrees for instalments and costs on plaintiffs.

[*The Commissioner, Nagpur Division, para.* 28.] "The orders which have been issued on the subject of instalments, costs and interest are now apprehended by Judges and are applied with salutary effect." And again (para. 13). "All the reports agree in one point, viz., that the temporary check to litigation which an undiscriminating application of orders regarding instalments and costs gave rise to, has passed away.

[*The Deputy Commissioner of Nagpur, para* 30.] "In 5·3 per cent of cases, costs in part or in whole were decreed against winning plaintiffs, but the action of the several Courts was so diverse as to show that individual officers entertain very dissimilar views on the point. Thus the proportions in three of the Courts at head-quarters were,—"

Mr. Kesheo Rao, Junior Station Court,	1·5 per cent;
Captain Macdougall, Senior do.	6·9
Vishnu Daji, Tahsildar, Nagpur	24·2

"This last proportion may possibly be too high, and the matter will be looked into, but I should judge that if the majority of the Courts had exercised a proper discretion in awarding costs the proportion of total cases in the district in which costs were thrown on winning plaintiffs, would have been higher than was attained during 1873."

Para 31. "In 6·3 per cent of cases payment was decreed by instalments as compared with 3·7 per cent in 1872. With my present ignorance of the characteristics of the litigation in this district, I am unable to offer any decided opinion as to the sufficiency or otherwise of this proportion, but my impression is that it should have been considerably higher."

[*The Deputy Commissioner of Wardha, para.* 39.] "There were 445 suits in which payment by instalments was decreed. Although last year's return does not contain this information, yet considering the unequal distribution of these suits in the several Courts, some of them did not, at least in the first quarter of the year, exercise due discretion in the matter. I can however assert that decrees for pay-

ment by instalments were not so frequent in the last two quarters of the year as in the first two and in the previous year, and the Judicial Commissioner's Circular was misunderstood."

[*The Deputy Commissioner, Chanda, para* 30. * * *] " Except in the Court of Tahsildar Nago Rao of Warora, the proportion of suits in which costs were decreed against winning plaintiffs has rather increased than otherwise since May last. Taken for the year the proportion of such suits has been highest in the Court of the Tahsildar Brahmapuri. The whole of the 69 suits in which such orders were passed by this Tahsildar and also the 47 such suits by Tahsildar Narrain Rao of Mul, and a random selection of such suits by other Courts, have been examined with the view of testing the correctness of the Courts' procedure in thus decreeing costs so often against plaintiffs, and the reasons for disallowing costs have generally appeared appropriate, *e. g.*

(1).—Claim not established in full.
(2).—Due notice not given beforehand to defendant.
(3).—Cost of power of attorney decreed to have been unnecessarily incurred
(4).—Witnesses unnecessarily summoned.

" The apparent conclusion is that the Judges who exercised the power sparingly might probably with propriety have done so more frequently. It will be observed that except during the brief incumbency of officiating Tahsildar Gungadhar Malhar, the proportion of such orders was lowest in Warora Courts. With reference to the exceptional proportion of suits disposed of in that Court on confession (para 22 above) the Tahsildar has now been directed to give special attention to the due award of costs in such suits in future. The vigilance in this respect, of the officiating Tahsildar Gungadhar Malhar, has probably some connection with the large proportion of compromises at Warora during his incumbency, which was noticed in para. 21 above." (Para 31. * * *).—" The instructions issued in May have checked to a large extent the frequency with which decrees used to be given for payment by instalments. But the proportion of such decrees still seems high, and accordingly the records of all such cases since May in the Courts of Tahsildars Narain Rao and Madho Rao and a random selection from the records of other Courts, have now been examined, and it appears that the Courts have frequently passed such decrees on a compassionate view of the debtor's circumstances, and not as ordered merely with reference to the origin and nature of the debt and a right understanding of the conditions of repayment.

" The attention of all the Courts has now accordingly been specially directed to the cautious instructions of the Judicial Commissioner's Circular IV. of 1872, para. 4 (1) and Circular XXIV. of 1873, para 4."

[*The Deputy Commissioner of Jabalpur, para* 16.] " The instructions on this head" (payment by instalments) " are acted on in almost all Courts in the district. The only noteable exception is the Court of Banwari Lal, Tahsildar of Murwara, which has only in one instance awarded payment by instalments. A report on this subject has been called for from that officer.

" Some Courts prefer to defer making provision for payment by instalments in cases of decrees for money with a lien on landed property, till execution has been sued out. When this is done by the judgment creditor then the Court in the exercise of its powers under Section 243 of Act VIII. of 1859, appoints a manager and arranges for the gradual payment of the adjudged debt out of the proceeds of attached property "

[*The Deputy Commissioner of Sagar, para* 107. * * *]. " Considering the number of cases compromised (533) and decreed on confession (760) in which the defendants made little attempt to deny their liability, the number of cases (155) in which plaintiffs were saddled with costs seems too low, although in many of the cases costs could have been refused on the ground that plaintiffs have not taken proper means to secure payments before coming into Courts. This might have encouraged needless recourse to the Courts." (Para. 108.)—" 153 cases also include the cases in which the costs of unnecessarily summoning witnesses were decreed against the plaintiffs by the several Courts in the District under the provisions of Judicial Commissioner's Book Circular No. VIII of 1872, and Circular No. XXI, dated 28th May last." (Para 109.)—" In 1872, as reported in this office letter No. 1718, dated 22nd

July last (in reply to Registrar, Judicial Commissioner's letter No. 373, dated the 16th April last) in some cases orders for payment by instalments passed were more or less of an arbitrary kind, and these orders were not passed on considerations pointed out in Circular No. IV. This was checked as much as possible in this year, and the proceedings of the Subordinate Courts were on several occasions examined. Whenever it was discovered that any instalment was fixed without good reasons, the Court's (passing such order) attention was directed to the Circulars No. IV. of 1872 and XXIV. of 1873, directing payment by instalments only "if in view of the origin and nature of a debt and on a right understanding of the conditions of repayment, it should seem that recovery by instalments is all that a plaintiff has a right to look for."

Para. 110.—"In 4 cases decided by Messrs. Ali Hussain Khan and Mehdi Hussain which came before me on appeal, I found that the claims were based on lately contracted debts and that instalments had been fixed without any ostensible good reason, so these orders were reversed."

Most of the other Reports have some remarks in similar sense. The very small number (76) of orders for payment by instalments in the Narsinghpur Courts has however not been explained, and is a further indication of Judicial weakness in that district which has already been evidenced by excessive litigation, decrease of values litigated, fewness of contested cases, exceptional success of contesting plaintiffs, and extraordinarily high durations. The Commissioner has been addressed on the subject..

The figures representing awards of costs against a winning plaintiff seem to have included some cases of awards against plaintiffs, merely of those costs which were incurred in excess of the necessity of the case when gauged by the decree for a portion only of the claim.

Duration of suits.

37. The average duration of suits was 27·6 days in contested suits and 19 days in uncontested suits. This is much the same as in 1872. The duration should have been shorter than in 1872, seeing that in 1872 they were specially long (by about 2 days) by reason of the May vacation; while in 1873 the corresponding vacation in December affects only the suits pending at the close of the year Prior to 1872 the average duration for 4 years remained at about 19 days for contested suits and 13 for uncontested suits. From 1872, owing to the revised schedule of Civil holidays, the number of working Court days fell by about one-seventh and would account arithmetically for about 3 of the 9 days by which contested and of the 6 days by which uncontested suits have increased in average duration. There remain 6 days and 3 days by which the average duration in contested and uncontested suits respectively had during the the last two years suddenly increased, for the greater part of which it is not easy to account, more especially as while it has occurred pretty generally in all Districts and Courts the number of suits for disposal was greater in 1871 than in either 1872 or 1873, and the average number of hearings has not appreciably increased. It is dangerous to overpress for short durations, for then some Judges are tempted to bring suits prematurely to a termination. Yet this office has not remitted its notices on the Quarterly Statements of unusually long durations, for sometimes they have undoubtedly been in some degree avoidable. In Bhandara and Nimar shorter averages have without any apparent sacrifice of Judicial quality been the result of due attention to durations, and the Judicial Commissioner must regret the more prominent instances of increased average durations which are to be found in the statistics for some of the Courts, especially in the Nagpur, Wardha, Sagar, Narsinghpur and Bilaspur districts, and will look for the improvement that is promised in some of the Reports, and whose necessity is further brought out in the following extracts from the Reports by Commissioners: —

[*Commissioner, Nagpur Division, paras.* 29 *and* 30] "The results of the work of the year, in most points satisfactory, are marred in Nagpur, Wardha and Chanda by

the great and totally unexplained increases in duration. The reproach of dilatoriness is not confined to a few Officers only, and I can offer but few reasons in extenuation of the bad results which it exhibits. In the Chanda district something may be put down to the immense distance over which parties and witnesses have to travel; and with regard to the high averages shown against the officers who succeeded Mr. Cameron in the charge of the Wardha Station Court, I may mention that they succeeded to a number of old cases left by that officer; but after these allowances have been made there remains much to account for, and it must I think be concluded—

" (1)—That the Officers who have held charge of the office of Deputy Commissioner of Wardha have not maintained a sufficiently close and effective control over the Civil work of their subordinates. The control, which can be exercised by this office and by the Judicial Commissioner, comes too often too late and can never supply the want of due control on the part of the Deputy Commissioner. A District Officer cannot be held to be fully responsible that his subordinates perform work of good quality, but may fairly be expected to see that they perform it with reasonable despatch.

" (2)—That the same remark applies, though in much less degree to the officers who have held charge in Nagpur.

" (3)—That individual Judges have been remiss or at least singularly unsuccessful in their endeavours to perform their work with suitable despatch.

" The improvement in Bhandara is satisfactory, and probably shows what a Deputy Commissioner whose attention has been drawn to the matter, as Mr. Read's was last year, can accomplish in inducing celerity among his subordinates. Balaghat has also greatly improved "

{*Commissioner, Jabalpur Division, para.* 42] " The average duration of contested and uncontested cases for the Division was 27·4 and 18·10 respectively, as compared with 27 8 and 16·2 in 1872. The Duration Statements are not as satisfactory as they should be, especially in the Sagar and Jabalpur districts. The increased duration of suits generally is no doubt a good deal attributable to the relaxation of the rule requiring plaintiffs to bring their witnesses at the first hearing, and in some degree may be due to the breaking up of the single Court system ; but I think it might be largerly obviated by greater method in the disposal of suits, and especially by a more definite regulation of pleadings. A simple Code of rules on this subject would be of much benefit. Courts are no doubt obliged to allow some latitude in the conduct of cases to ignorant suitors, but so far as I have seen, the want of system in the production of cases, which has so much effect in multiplying hearings and taking up the time of the Court, is commonest in suits in which professional assistance is employed,— Counsel are allowed to address the Court over and over again to call and re-call the same witnesses to suggest fresh points at late stages of the case to cross examine at undue length and sometimes to produce useless or inadmissible evidence. I think it should be understood that when professional assistance is employed, the hearing of the case would be confined within strictly defined limits and that the Court would not ordinarily intervene to point out deficiencies but would decide on the evidence brought before it."

[*Commissioner, Narbada Division, para.* 15.] " I quite think with the Deputy Commissioner of Chhindwara, that it is more important in every way to keep down the average number of hearings rather than the average duration of suits. The average number of hearings in Chhindwara has been reduced from 2 to 1·4, and the average duration is a little better than it was. It is, however, far too high still for a district of almost wholly local and small litigation. In Betul the average number of hearings seems unnecessarily high (1·9), while the average duration is good. Both of these averages are decidedly bad in Narsinghpur. Nimar here again shows the needful amount of improvement. The average duration of contested and uncontested suits is now only 27·6 and 18·1,—as low as can be expected I think for this district, and the average number of hearings has been brought down from 2 to 1·5. The Hoshangabad general results are

better than I dared to hope for at one period of the year. The duration of contested suits is still, however, a good deal too high, and there was great delay (partly avoidable and partly unavoidable) in disposing of many individual suits. The Judicial Commissioner knows that the disposal of Civil Judicial business in Hoshangabad was the subject of constant anxiety and correspondence throughout the year; but before the close of the year things had been nearly brought round again."

Suits pending.

38. The number of suits (2,615) pending at the end of the year was not, with reference to the number of suits for disposal and the average duration of suits, disproportionately large. Only 6 suits were pending for more than 4 months and only 56 for more than 2 months.

D.—The Appellate Business.

Appeals to Commissioners and Deputy Commissioners.

39. Appeals from decrees and orders of the original Courts increased to 3,172 as compared with 2,323 in 1872, thus :—

		Appeals instituted in 1872.	1873.
Courts of the Commissioners	...	1,174	723
Courts of the Deputy Commissioners	..	1,149	2,449
Total	...	2,323	3,172

The following table gives the details :—

	Courts of Deputy Commissioner.		Courts of Commissioner.		
	1872.	1873.	1872.	1873.	
A.—Appeals from decrees of Civil Courts ...	1,081	2,282	870	465	
B.—Ditto ditto Orders ..	68	167	164	87	
C.—Appeals to Civil Courts under the Rent Law ..	..	...	140	171	
Total ..	1,149	2,449	1,174	723	

The increased number of appeals, and the shifting of the stress of appellate business from the Courts of the Commissioner to the Courts of the Deputy Commissioner were alike in the main owing to the instructions of Chief Commissioner's Book Circular II. of 1873, and there appears to be some apprehension lest now Deputy Commissioners should be hampered in the discharge of their executive duties by an excessive number of Civil appeals. The Deputy Commissioners of the Narbada Division had the largest comparative addition

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to their appellate business. The figures from them and some other Deputy Commissioners are given below :—

	No. of appeals instituted. 1872.	1873.
Deputy Commissioner of Nagpur	159	207
" " " Wardha	139	232
" " " Sagar	53	107
" " " Seoni	24	100
" " " Hoshangabad	86	340
" " " Betul	59	149
" " " Narsinghpur	114	279
" " " Chhindwara	94	145
" " " Nimar	80	208
" " " Bilaspur	13	123

Similarly, greatest comparative decrease in Commissioners' Appellate business occurred in the Court of the Commissioner of the Narbada Division.

Courts.	No of Civil Appeals, exclusive of Rent Law Appeals, which Chief Commissioner's Book Circular No. II. of 1873 did not affect. Instituted in 1872.	1873.
Court of the Commissioner, Nagpur Division...	110	99
Do. do Jabalpur do. ...	320	175
Do. do. Narbada do.* ..	480	217
Do. do. Chhattisgarh do. ...	124	61

The following extracts from the local reports are here given :—

[*Commissioner, Narbada Division, paras.* 17 *and* 18]. " Of course great relief has been gained by the Commissioner's Court which, much overtasked as it had been for the preceding 3 years, had this year only 187* institutions, against 400 in the year before. The relief would have been very great indeed had it not been for the heavy pending files from 1872. The increase in Hoshangabad was very heavy, and in Nimar and Narsinghpur it was very considerable. The Deputy Commissioner of Hoshangabad says, he expects that appeals in his Court will now mount up to 600 a year. I do not think that he is warranted in anticipating so huge a further rise. Still there will probably be some further increase, for the new arrangements were not thoroughly in force for the first two months of the year under report. This matter will have my attention in the 3 districts of Hoshangabad, Narsinghpur, and Nimar, and if I find the Deputy Commissioners getting over-pressed, I will try to propose some changes tending to relieve them. So far as the year under report is concerned, I had quite enough of appellate work myself: for a heavy pending file from 1872 made my cases for disposal no less than 315, although there were only 187 institutions. Under the present arrangements I hear appeals only in suits beyond Rs. 1,000 in value.

*Exclusive of Appeals from orders.

" Admitting the truth of all that the Judicial Commissioner has said from the purely Judicial point of view on this subject, I cannot myself but regard the recent changes, introduced by the Chief Commissioner, as having been very decidedly right in the interests of general administration in a non-regulation province. Neither have I heard any complaints from litigants about the shifting downwards the venue of appeals. Probably in all districts, except the one where the Commissioner holds his head-quarters, this disadvantage is more than counterbalanced to litigants by the advantage of increased proximity of the Appellate Courts."

[*Commissioner, Jabalpur Division, para.* 45]. " The tendency of appeals is still to increase. It is not clear how much of this increase may be put down to the greater facility of appealing, created by the transfer of a large class of appeals to Deputy

Commissioners' Courts, and how much is due to natural causes. The figures for Jabalpur and Sagar point to the latter of these explanations; those for Damoh and Seoni, which, however, are less important, to the former. I think it probable that petty appeals will multiply in consequence of the transfer of jurisdiction; but it does not seem so certain that appeals in the larger cases will be made more readily to Deputy Commissioners, even with the advantages of proximity, than to Commissioners. Probably, distance had not much effect in checking these appeals at any time."

[*Commissioner, Nagpur Division, para.* 6.]—" The only ill effect which, as far as I am aware, is likely to result from the Book Circular is, that the Deputy Commissioners of two districts, *viz.*, Nagpur and Wardha, may perhaps find themselves more oppressed by Civil Appeals, than with due regard to their other duties they should be. The Deputy Commissioner, Nagpur, has adverted to this matter in his report, and it certainly deserves to be kept in mind. At the same time the increase* of appellate work in the Courts of these two Deputy Commissioners has not been very serious, and was not wholly attributable to the Circular, for several of the officers whose appeals fell to be heard by the above Deputy Commissioners, had never exercised the powers of an Assistant Commissioner 1st Grade, and would not have been exercising such powers even if the Circular had not appeared."

	Appeals instituted.	
	1872.	1873.
*Nagpur	.. 148	.. 187
Wardha	... 133	.. 212

[*Deputy Commissioner, Nagpur, para.* 37.]—" There were 221 appeals for disposal during the year, namely :—

Appeals from decrees of Civil Courts	.. 200
Appeals from orders of Do.	... 19
Appeals from orders of Registrar and Sub-Registrar	2

"The disposal of this work fell very heavily on the District Officer, and Major Newmarch has recorded the following memorandum on the point :—

"' In the same way at the Sadar, the Civil Appellate business in the Court of the Deputy Commissioner is too much for an officer already over-burdened with so many multifarious duties. I believe it was formerly proposed that the Judge of the Small Cause Court should have an extended jurisdiction, as regards original suits, and also take up a portion of the appellate work. Such a reform is much needed, and as the above officer has only a moderate amount of purely Judicial work, I think there will be no difficulty in the matter.' " " My own opinion is that the pressure of Civil case work is too great, and that unless the Deputy Commissioner be relieved from it he cannot possibly discharge his administrative duties efficiently. He may work till he breaks down, but even then much will necessarily have been slurred over, and I beg, therefore, to urge in the interest of the District Administration, the necessity for relieving the Deputy Commissioner of the Civil Appellate work."

With reference to the difficulty at Nagpur, perhaps the Chief Commissioner may see fit again to consider the proposals which were made in this office No. 490, dated 14th April 1869. They were then approved of by the Chief Commissioner, and might yet be adopted both at Nagpur and Jabalpur with advantage.

40. The following table showing the proportion of appeals (from decrees only) to contested suits is presented : —

Ratio of Appeals to contested suits.

Divisions.	Courts of the Commissioners and Deputy Commissioners.					
	Number of contested cases in Courts in appellate subordination thereto.		Number of Appeals.		Percentage of Appeals.	
	1872.	1873.	1872.	1873.	1872.	1873.
Nagpur ...	3,909	4,563	485	666	12·4	14·6
Jabalpur ...	2,482	2,719	475	518	19·1	19·0
Narbada ...	5,844	7,405	806	1,240	13·8	16·7
Chhattisgarh ...	1,627	1,855	185	323	11·4	17·4
Total ...	13,862	16,542	1,951	2,747	14·0	16·6

The increase of nearly 3 per cent in the *ratio* of appeals to contested suits doubtless arises in part from the greater proximity to the Courts of the Deputy Commissioner of a larger number of Original Courts at District head-quarters from which appeals formerly lay to the Courts of the Commissioner.

Disposal of Appeals.

41. The following table shows how Appeals were disposed of (otherwise than by transfer) :—

	Dismissed for default.		Remanded for re-trial.		Decree of Lower Court.						Total disposed of otherwise than by dismissal for default.
					Modified.		Reversed.		Confirmed.		
	No.	Percentage of total appeals disposed of.	No.	Percentage on Column 12.	No.	Percentage on Column 12.	No.	Percentage on Column 12.	No.	Percentage on Column 12.	
1	2	3	4	5	6	7	8	9	10	11	12
Courts of the Commissioner.											
Nagpur ...	15	10·	18	14·	23	18·	30	23·	57	45·	128
Jabalpur ...	19	8·	27	12·	28	12·	33	15·	136	61·	224
Narbada ...	67	17·	87	27·	29	9·	25	8·	181	56·	322
Chhattisgarh ...	9	8·	25	25·	5	5·	20	20·	50	50·	100
Total ...	110	12·5	157	20·	85	11·	108	14·	424	55·	774
Courts of the Deputy Commissioner.											
Nagpur ...	5	3·	20	11·	10	5·	23	13·	127	71·	180
Chanda ...	2	3·	3	5·	11	18·	14	24·	32	53·	60
Bhandara ...	1	2·	2	4·	4	7·	4	7·	45	82·	55
Wardha ...	20	9·	33	16·	26	13·	33	16·	112	55·	204
Balaghat ...	14	18·	5	7·	6	9·	13	20·	42	64.	66
Jabalpur ...	11	12·	6	7·	9	11·	10	13·	55	69·	80
Sagar ...	2	2·	7	7·	9	9·	18	18·	67	66·	101
Damoh ...	5	6·	5	6·5	5	6·5	16	21·	51	66·	77
Seoni ...	6	7·	7	8·	5	6·	17	20·	55	66·	84
Mandla ...	1	10	...	...	1	11·	1	11·	7	78·	9
Hoshangabad ...	32	10·	76	28·	14	5·	54	20·	127	47·	271
Betul ...	10	7·	17	13·	7	5·	21	16·	88	66·	133
Narsinghpur ..	13	5·	29	12·	16	6·	49	20·	155	62·	249
Chhindwara ..	22	16·	4	4·	12	10·	48	40·	55	46·	119
Nimar ...	17	8·	11	5·	25	13·	39	20·	123	62·	198
Raipur ..	3	3·	10	11·	6	7·	11	12·	62	70·	89
Sambalpur ...	4	7·	5	9·	3	6·	17	30·	31	55·	56
Bilaspur ..	18	15·	...	...	10	10·	39	39·	51	51·	100
Upper Godavari ...	..	..	...	...	1	25·	1	25·	2	50·	4
Total ..	186	8·	240	11·	180	9·	428	20·	1,287	60·	2135
Total for all Courts...	296	9·	397	14·	265	9·	536	18·	1,711	59·	2909

Defaults are proportionately most numerous in the Court of the Deputy Commissioner of Balaghat, and the Court of the Commissioner, Narbada Division; but about one-third of the appeals dismissed for default in the last mentioned Court were re-admitted, and this militates against any conclusion that the large proportion dismissed for default is connected with any extraordinary wantonness in appealing to that Court.

The Commissioner writes on the subject,—

[*Commissioner, Narbada Division, para.* 20.] "As to my own dismissals in default I am sorry to see them so numerous, but I can say conscientiously that I never hear an appeal except at places notified in *plenty* of time to the parties, and that I try as far as possible to consult the convenience of the parties. Thus for example, no appeal from the Narbada Valley would ever on any account be heard while my camp was in Chhindwara and Betul, and it would be *very* seldom when any appeal from Nimar, Chhindwara or Betul would be heard elsewhere than at head-quarters or in that one of the three districts to which the parties belong. I note too that the greater number of dismissals in default are due to cases of a low money value, belonging to the early part of the year when I had still a number of petty appeals to hear."

On the general results of the appeals which were heard the Commissioner of the Narbada Division notices the high proportion of remands in his own Court, and in the Court of the Deputy Commissioner, Hoshangabad, as well as of decrees modified and reversed in the Court of the Deputy Commissioner, Chhindwara. On the latter the Commissioner remarks that—

"Altogether the Chhindwara results are the worst, and it is difficult to avoid the inference that the general quality of either the appellate or the original Courts was something below a good standard."

Uneasiness as to the quality of the original business disposed of, as it was for the most part, in Courts of the lowest grade has been already adverted to in para. 32 above.

The table shows how decrees in appeals not dismissed either in default or on hearing are remanded in large proportion and modified and reversed in small proportion or *vice versa* according to the individual tendency of the Judge. If general effect could be given to the suggestions by the Commissioner of the Jabalpur Division quoted in para. 37 above for the more definite regulation of pleadings, then probably objection might be taken to a large proportion of remands, rather than to a large proportion of modifications and reversals. But at present this seems hardly practicable, and looking to the ignorance of suitors, the fewness of good legal advisers, the inability of litigants to employ pleaders in the mass of cases, and the inferiority of many of the Courts, the consideration indicated by remands may for the present be on the whole a better feature in an Appellate Court, than the more technical precision of which modications and reversals are a surer sign. It is, however, difficult to criticise either tendency too closely. But the proportion of remands certainly seem in the Court of the Deputy Commissioner of Hoshangabad excessive, and in the Court of the Deputy Commissioner, Bilaspur, insufficient.

The decrees of the first Courts were confirmed in comparatively small proportions in the Courts of the Commissioner at Nagpur, and Deputy Commissioner at Hoshangabad and Chhindwara, and in comparatively large proportions in the Courts of the Deputy Commissioner at Bhandara, Nagpur, Raipur and Jabalpur.

Confirmations were proportionately rather more numerous in Courts of the Deputy Commissioner than in Courts of the Commissioner.

Appeals to the Judicial Commissioner

42. Formally admitted special appeals were disposed of in the Court of the Judicial Commissioner as follows :—

34	were remanded for re-trial.		
in 26	the judgment of the Lower Court was reversed.		
in 3	Do.	do.	modified.
and in 17	Do.	do.	confirmed.
Total 80			

The proportion then out of special appeals formally admitted in which the orders of the Lower Courts were disturbed was large. But 125 applications for special appeal were rejected under Section 25, Act XXIII. of 1861, and in many of these the rejection was tantamount to a formal confirmation on appeal of the judgment of the Lower Court, the procedure being similar to that provided for Appellate Courts in the Panjab by Section 7, Act IX. of 1873, which it is much to be desired all Appellate Courts in these Provinces also should be empowered to follow.

Duration of appeals

43. The figures showing the duration of appeals do not afford material for much comment. The durations in the Court of the Commissioner, Chhattisgarh Division, were apparently excessive But in most Courts there was improvement rather than falling off in durations. On the whole, the average duration of appeals from decrees was 19 5 in the Courts of the Deputy Commissioner, and 30·5 in the Courts of the Commissioner.

Pending files.

44. The pending files were kept sufficiently clear. At the end of the year no regular appeal had been pending in the Courts of the Deputy Commissioner over 4 months. In the Courts of the Commissioner there were only 12 so pending.

E.—Execution of Decrees.

Total business

45. Execution of decree business increased. Out of 37,807 fresh applications for execution, only 833 were verbal at the time of decree. In 1872 the number was 1,502 and in 1871 2,544. This falling off is considerable and in the right direction. The Court of Small Causes at Nagpur had 100. The Courts in the Damoh district 107, those in Hoshangabad district 90, in Nagpur 87, and in Wardha 82. Their numbers elsewhere were insignificant and were *nil* in Mandla, Sambalpur, and the Court at Asirgarh. Their fewness in Nimar (4 in 1873, 9 in 1872) is remarkable. The Commissioner, Jabalpur Division, has asked the Deputy Commissioner of Damoh to explain their rather high number in the Courts of that district.

Manner of disposal.

46. Out of 42,806 applications for disposal 38,668 were disposed of during the year, and of these execution was completely or partially effected in 22,356 or 58 per cent, which is nearly the same as in 1872. Special instructions in Circular XXXVIII. of 1873 were issued in order to the better classification of business in the execution branch. The ratio of successful executions in the several Districts and Courts is pretty even, though the measure of success differs considerably.

Imprisonments in execution of decree

47. 834 persons were committed to prison in execution. Of these 132 belonged to the Hoshangabad district, 122 to Nimar, 160 to the Courts in the Nagpur district (the Courts of Small Causes inclusive) 73 to the Wardha district. In 1872, 945 persons, and in 1871, 1,141 persons were imprisoned; the general falling off is satisfactory. But in the Courts in the Nagpur Division, excluding the Courts of Small Causes, the number of imprisonments was even larger than in 1872.

Claims to attached property.

48. Claims to attached property had to be decided in favour of the claimants in a larger number of cases than in 1872, the numbers being in 1872, 1,483, and in 1873, 1,614. The Judge of the Court of Small Causes at Nagpur admits some careless attachments.

49. 2,877 orders for sale of immoveable property were executed and confirmed by the Courts. The number in 1872 was nearly the same.

Attachments of immoveable property.

[*The Commissioner of the Narbada Division writes:—para.* 26 * * *]. "Landed estates are still very seldom sold in actual execution of decree even in Narsinghpur, though the last year's experience has convinced me that there are now in that district more landholders heavily pressed with debt, than I was inclined to think when I first returned from furlough. The great majority of 'immoveable properties sold, were as usual common tiled and thatched dwelling houses'; and the Deputy Commissioner of Narsinghpur gives the following detail of the 492 sales of immoveable property shown for his district:—

490 Houses.
1 Absolute occupancy right.
1 Village share."

The following table exhibits the extent to which Courts executing decrees applied for sanction to execute sale of property in land, under the special proviso subject to which the Code of Civil Procedure was extended to these Provinces.

	Sales of ancestral property in land sanctioned during 1873.					Sales disallowed.
	More villages than one.	Single villages.	Shares in villages.	Proprietary right in land and occupancy tenures.	Total.	
Nagpur ...	...	...	3	8	11	...
Bhandara ...	...	...	1	...	1	...
Wardha ...	...	1	9	6	16	1
Balaghat ...	1	...	3	...	4	...
Jabalpur ...	...	...	...	1	1	...
Sagar ...	...	2	7	...	9	2
Damoh ...	...	...	...	...	...	1
Seoni ...	...	...	1	...	1	1
Mandla ...	1	...	...	...	1	...
Hoshangabad ...	1	1	...	2	4	2
Narsinghpur ...	...	2	...	...	2	...
Betul ...	...	1	...	...	1	...
Bilaspur ...	...	1	...	...	1	...
Total ...	3	8	24	17	52	7

50. The pending files were a little lighter than usual at the close of the year,—579 cases more than 4 months' old, and 399 others more than 2 months' old.

Pending files.

51. New rules, under Section 20, the Court Fees' Act (VII.) of 1870, as to the fees chargeable for serving and executing processes and as to the remuneration of the peons and others employed in the service and execution were issued during the year. The fees were largely reduced and were estimated to yield Rs. 93,000 instead of Rs. 1,53,000 as in 1871. Their whole actual effect cannot be accurately known, inasmuch as they came into operation in mid-year and at different

Process fees and process serving establishments.

dates in different Courts. But comparing the actual income with the estimate on which the rates of fees were fixed, it is seen (from Statement VI.) that the estimate will be exceeded. The subject of peons, however, has not been so successfully dealt with. A schedule of establishments was called for from this office, based on the average strength of the establishments of each Court for that month of 1871 during which the establishment employed was on the most reduced scale, and then the rule was made that the total cost of the establishment of each Court should not exceed a sum 30 per cent in excess of the sum which represents the cost of the establishment of each Court as shown in such schedule. This schedule was of course liable to break down as the necessities of particular Courts varied from time to time.. And a modified rule on the subject has been proposed.

I have the honor to be,

Sir,

Your most obedient Servant,

S. JACOB,

Offg. Registrar.

JUDICIAL STATEMENT B. 6.—(*Civil.*)

STATEMENT showing the number and description of Civil suits instituted in the Courts of original Civil Jurisdiction in the Central Provinces during the year 1873.

Class of Tribunals.	Money due.						Rent not falling under the Rent Law.	Recovery of personal property or value thereof.	Damages.				Suits for immoveable property.	Suits for specific performance of contract	Suits to declare and establish rights to real property, including pre-emption, foreclosure, &c.	Suits to declare and establish personal rights.	Suits for an account.	Suits relating to religious endowments.	Suits to set aside judgments, contracts or obligations on the ground of fraud.	Suits for dissolution of marriage.	Suits for enforcement of matrimonial rights.	Suits for partition.	Suits relating to shipping.	Suits relating to religion and caste.	Total.
	On written promise for sum certain.	On unwritten promise for sum certain.	On account stated.	For money paid or received.	For goods sold and delivered.	For breaches of contract not included in the above			For injuries to person, attended with direct or actual pecuniary damages.	For injuries to property.	For defamation.	For other injuries not included in the above.													
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26
Small Cause Courts	5,588	1,709	298	178	2,764	338	221	199		182				..	—	.	..	..		..		.		..	..
Sub-Divisional Courts	19,452	8,174	786	700	5,016	1,155	368	4,547		1,131			1,473	35	136	20	10	..	18	7	78	6	..	..	..
District Courts	11,988	2,526	397	205	1,775	370	144	1,773		460			897	21	209	63	39	2	65	13	112	4	..	1	...
Superior Courts	.	.	.	.		...	...	..		.			.	..	..	..	..	..	..	..	...	...		.	
Total ... 1873	37,028	12,409	1,431	1,083	9,555	1,863	733	6,519		1,773			2,370	56	345	83	49	2	83	20	190	10	.	1	75,603
Total ... 1872	35,780	11,534	1,783	1,267	9,702	9,762	980	3,906		1,388			1,747	78	211	225	185	4	40	50	127	36		6	71,811

JUDICIAL STATEMENT B. 7.—(*Civil.*)

STATEMENT showing Value of Suits disposed of in the Civil Courts of the Central Provinces in the year 1873.

VALUE OF SUITS	Number of Suits disposed of in different Courts.						
	Small Cause Courts.	Sub-Divisional Courts.		District Courts.		Total Number of Suits.	Total value of Suits.
		Naib-Tahsildars.	Tahsildars.	Assistant Commissioners.	Deputy Commissioners.		
1	2	3	4	5	6	7	8
Not exceeding Rupees 5	2,646	1,554	6,432	1,218	53	11,903	38,373
Ditto ,, ... 20	4,685	4,137	12,900	5,131	86	26,939	3,39,105
Ditto ,, ... 100	3,411	2,885	13,107	9,332	34	28,769	12,05,556
Ditto ,, ... 500	690	..	2,047	4,162	41	6,940	12,93,321
Ditto ,, ... 1,000	45	...	...	475	7	527	3,80,925
Ditto ,, ... 5,000	...	...	...	347	129	476	9,54,072
Ditto ,, ... 10,000	...	..	...	...	32	32	2,31,514
Ditto ,, ... 100,000	...	...	...	...	16	16	3,29,298
Ditto ,, ... 100,000	...	..	...	...	1	1	1,33,842
Exceeding ,, ...							
Total... 1873..	11,477	8,576	34,486	20,665	399	75,603	49,06,006
Total... 1872 ..	11,317	8,660	22,268	27,914	275	70,434	41,12,050

JUDICIAL STATEMENT B. 8.—(*Civil.*)

STATEMENT showing the General Result of the Trial of Civil Suits in the Courts of Original Jurisdiction in the Central Provinces in the year 1873.

Class of Courts	Suits remaining from last year.	Filed in this year.	Received by transfer.	Total for disposal.	Transferred to other Courts.	Plaints rejected or returned.	Dismissed for default.	Withdrawn with leave.	Compromised.	Decreed on confession.	Decreed *exparte*.	Dismissed *exparte*.	Contested. Judgment for plaintiff in whole or part.	Contested. Judgment for defendant.	Total disposed of.	Pending.	Over two months.	Over four months.	Average duration of suits. Contested.	Average duration of suits. Uncontested.	Referred to arbitration.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
Small Cause Courts.	316	11,407	...	11,723	13	50	1,570	113	2,089	3,145	1,119	20	2,577	781	11,477	246	1	..	11·2	10·4	78
Sub-Divisional tribunals ...	1,597	43,040	...	44,637	1	211	10,005	450	7,109	10,829	4,290	295	7,262	2,610	43,062	1,575	22	2	30·5	20·8	243
District Courts, other than Chief Courts of Districts.	1,686	19,751	...	21,437	1	104	3,059	292	2,028	5,153	3,457	85	4,909	1,577	20,665	772	25	...	33·5	23·1	175
Chief Courts of Districts .	25	396	.	421	.	7	33	5	34	93	40	3	123	61	399	22	8	4	42·3	25·4	..
Total .. 1873	3,624	74,694		78,218	15	372	14,667	860	11,260	19,220	8,906	403	14,871	5,029	75,603	2,615	56	6	27·6	19·4	496
Total .. 1872	2,197	73,955	15	76,167	38	390	13,287	943	11,652	18,365	10,668	242	12,378	4,579	72,542	3,625	78	9	28·1	17·5	532

JUDICIAL STATEMENT B. 9.—(*Civil.*)

STATEMENT shewing the business of the Civil Appellate Courts of the Central Provinces in the year 1873.

Class of Courts.	Remaining from previous year.	Instituted during the year.	Received by transfer.	Total.	Transferred.	Dismissed for default under Sections 5 and 6, Act XXIII. of 1861.	Heard Ex-parte.			Contested.				Total disposed of.	Pending.	Over two months.	Objections under Section 348, Act VIII. of 1859.	Objections allowed.
							Confirmed.	Modified.	Reversed.	Confirmed.	Modified.	Reversed.	Remanded.					
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
Chief Appellate Courts of Districts ..	70	2,449	..	2,519	...	186	64	13	29	1,223	167	399	240	2,321	198	..	7	5
Superior Appellate Courts other than Chief Court of Province .	257	723	...	980	1	110	85	10	20	339	75	88	157	885	95	12	8	2
Chief Court of Province	7	91		98	...	...	.	1	2	17	2	24	34	80	18	13	.	
Total ... 1873 ..	334	3,263	...	3,597	1	296	149	24	51	1,579	244	511	431	3,286	311	25	15	7
Total ... 1872	319	2,418	2	2,739	2	229	145	18	68	1,073	164	404	304	2,404	335	114	11	5

JUDICIAL STATEMENT B. 10.—(*Civil.*)

STATEMENT showing the Execution of Decrees in the Courts of the Central Provinces, during the year 1873.

Class of Courts.	Applications to execute decrees.				Decrees completely executed.	Partially executed.	Pending at the end of year.	Nature and number of coercive processes issued.						Remarks.
									Moveable property.		Immoveable property.			
	Pending from previous year.	Filed in the year.	Received by transfer.	Total.				Imprisonment of person.	Attached.	Sold.	Attached.	Sold.	Under Section 243, Code of Civil Procedure.	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Small Cause Courts ...	278	6,537	...	6,815	1,647	1,669	430	137	1,222	598	...	...	.	* 10,312 cases were struck off without execution effected.
Local and Sub-Divisional Courts ...	1.442	17,222	314	18,978	5,723	4,557	1,858	274	5,462	2,360	3,503	1,518	26	
District Courts ...	2,629	14,048	336	17,013	4,875	3,885	1,850	423	3,884	1,863	3,246	1,359	195	
Superior Courts ...	...	...	..	...	...	...	...	...	...	..	...	..	..	† Besides these there were 36 temporary alienations under Section 244 Act VIII. of 1859.
Total .. 1873...	4,349	37,807	650	42,806	12,245	10,111	*4,138	834	10,568	4,821	6,548	2,877	†221	
Total .. 1872...	3,293	3,698	441	40,822	12,493	9,319	4,319	945	10,639	4,974	6,172	2,831	183	

JUDICIAL STATEMENT B 11.—(*Civil.*)

***STATEMENT** showing use of Juries and Assessors in the Civil Courts of the Central Provinces in the year* 1873.

Classes of Courts in which Juries or Assessors are employed, distinguishing Criminal from Civil Courts	Established or average number of Jury or Assessors in each case and prescribed qualifications	Number of cases tried by Jury.	Number of cases with Assessors	Jury trials.			Assessor's trials		Note showing in what classes of cases Juries and Assessors have been principally employed.	Remarks.
				Verdict in favour of the prosecutor or plaintiff.	Verdict in favour of the accused or defendant	Jury discharged without verdict	Number of cases in which Judges agreed with Assessors.	Number of cases in which Judges differed from Assessors		
Civil Courts.										
(*Blank*)										

PROVINCIAL STATEMENTS.

No.

STATEMENT showing the number, description and value of Original Suits

	Money Due.									
	On written obligation.	On unwritten obligation.	On account stated.	For money paid or received.	For goods sold and delivered.	For breaches of contract not included in the above.	Rent, not falling under the Rent Law.	Moveable property, or value thereof.	Damages.	Suits for immoveable property
1	2	3	4	5	6	7	8	9	10	11
Nagpur ..	3,431	1,051	45	76	400	117	15	562	127	351
Principal Court of Small Causes, Nagpur ...	3,360	688	31	56	1,211	127	54	89	61	...
Court of Small Causes, Kamthi Cantonment ...	974	492	136	30	705	16	66	57	30	...
Chanda ...	1,092	218	6	40	176	46	10	365	61	51
Bhandara ...	1,290	287	8	155	244	46	18	409	77	79
Wardha ...	3,211	1,148	104	83	726	78	22	529	52	139
Balaghat ...	413	246	19	8	27	77	5	244	54	20
Jabalpur ...	891	277	74	44	187	56	10	122	56	199
Principal Court of Small Causes, Jabalpur ...	1,000	381	78	26	485	130	46	39	82	...
Court of Small Causes, Jabalpur Cantonment ..	90	37	44	52	154	30	29	...	5	...
Sagar ...	1,352	222	146	43	277	147	22	425	49	146
Court of Small Causes, Sagar Cantonment ...	99	95	9	14	163	24	23	8	4	...
Damoh ...	962	283	74	8	51	20	2	415	58	134
Seoni ...	681	532	20	47	139	54	8	118	78	42
Mandla ...	193	193	16	8	93	24	6	62	46	10
Hoshangabad ...	4,101	1,426	166	62	438	276	75	1.174	89	250
Betul ...	1,674	503	134	62	373	113	12	151	112	136
Narsinghpur ...	3,908	1,051	132	66	524	32	42	383	137	281
Chhindwara ...	1,702	688	30	70	450	61	118	261	40	165
Nimar ...	4,557	1,162	107	26	1,621	54	96	398	137	180
Court of Small Causes, Asirgarh Cantonment ...	65	16	...	...	46	11	3	6	...	...
Raipur ...	795	618	8	69	334	86	35	383	158	74
Sambalpur ..	508	240	24	21	270	49	4	190	99	48
Bilaspur ...	604	508	7	13	385	182	8	115	152	63
Upper Godavari ...	75	47	13	4	76	7	4	14	9	2
Total ... 1873	37,028	12,409	1,431	1,083	9,555	1,863	733	6,519	1,773	2,370
Total ... 1872	35,780	11,534	1,783	1,267	9,702	2,762	980	3,906	1,388	1,747

Exhibition of above Grand

Not exceeding Rs. 5	1,443	3,411	214	335	3,976	508	272	1,016	303	398
Ditto „ 20	12,161	5,372	418	340	3,848	675	286	2,458	645	664
Ditto „ 100	18,606	3,026	502	283	1,482	511	140	2,400	696	832
Ditto „ 500	4,269	525	217	103	233	140	34	571	108	365
Ditto „ 1,000	299	43	27	14	11	13	1	35	11	51
Ditto „ 5,000	232	32	47	7	5	13	...	30	8	52
Ditto „ 10,000	9	...	5	1	...	3	...	2	1	4
Ditto „ 1,00,000	9	...	1	...	...	...	...	..	1	3
Exceeding „ 1,00,000	...	...	...	...	...	...	...	...	...	1
Total ... 1873	37,028	12,409	1,431	1,083	9,555	1,863	733	6,519	1,773	2,370
Total ... 1872	35,780	11,534	1,783	1,267	9,702	2,762	980	3,906	1,388	1,747

I.

disposed of in the Districts of the Central Provinces during the year 1873.

Suits for specific performance of contract.	To declare and establish Rights only. Connected with immoveable property, including pre-emption, foreclosure, &c.	To declare and establish Rights only. Personal (unconnected with property.)	Suits for an account.	Suits relating to religious endowments.	Suits to set aside judgments, contracts, or obligations on the ground of fraud.	Suits for dissolution of marriage.	Suits for enforcement of matrimonial rights.	Suits for partition.	Suits relating to shipping.	Suits relating to religion and caste.	Total.	Remarks.
12	13	14	15	16	17	18	19	20	21	22	23	24
2	35	32	7	...	4	9	9	1	...	1	6,275	
...	...	...	...	...	...	...	...	...	...	...	5,677	
...	...	...	...	...	...	...	...	...	...	...	2,506	
...	4	1	...	...	2	2	9	...	...	...	2,083	
7	37	1	4	...	2	...	10	...	...	...	2,674	
4	8	4	3	...	...	2	9	...	...	...	6,122	
...	7	...	...	1	2	...	22	...	...	...	1 145	
4	60	12	7	...	10	...	9	...	...	...	2,018	
...	...	...	...	...	...	...	...	...	...	...	2,267	
...	...	...	...	...	...	...	...	...	...	...	441	
2	39	7	...	...	3	...	2	2	...	...	2,884	
...	...	...	...	...	...	...	...	...	...	...	439	
1	3	...	3	...	...	...	...	...	...	...	2,014	
...	6	1	3	...	...	...	4	...	...	...	1,733	
1	1	1	...	...	...	...	8	...	...	...	662	
9	10	16	10	1	14	2	2	1	...	...	8,122	
1	25	2	...	...	2	2	13	...	...	...	3,315	
...	37	1	...	...	3	...	...	...	...	...	6,597	
3	10	...	1	...	...	...	24	...	...	...	3,623	
3	15	3	1	...	28	2	56	1	...	...	8,447	
...	...	...	...	...	...	...	...	...	...	...	147	
2	43	1	9	...	1	...	1	...	...	...	2,617	
...	3	...	1	...	4	...	8	5	...	...	1,474	
17	2	...	...	...	4	1	1	...	...	...	2,062	
...	...	1	...	...	4	...	3	...	...	...	259	
56	345	83	49	2	83	20	190	10	...	1	75,603	
78	211	225	185	4	40	50	127	36	...	6	71,811	

total in detail of values.

10	11	2	...	...	1	...	2	1	...	...	11,903	
6	30	9	2	...	8	1	14	2	...	...	26,939	
28	80	9	2	...	20	3	145	4	...	...	28,769	
11	169	51	40	1	47	16	29	3	...	1	6,940	
...	14	3	3	1	1	...	...	...	...	...	527	
1	37	6	...	...	6	...	...	...	...	...	476	
...	3	2	2	...	...	...	...	...	...	...	32	
...	1	1	...	...	...	...	...	...	...	...	16	
...	...	...	...	...	...	...	...	...	...	...	1	
56	345	83	49	2	83	20	190	10	...	1	75,603	
78	211	225	185	4	40	50	127	36	...	6	71,811	

No. II.

STATEMENT showing Value of Original Suits disposed of in the Districts of the Central Provinces during the year 1873.

Value of Suits.	Number of Suits Disposed of in different Courts.						Total value of Suits.	REMARKS.
	Small Cause Courts.	Naib-Tahsildars' Courts.	Courts of the Tahsildar.	Courts of the Assistant Commissioner	Courts of the Deputy Commissioner.	Total number of Suits.		
1	2	3	4	5	6	7	8	9
Not exceeding Rs. 5	2,646	1,554	6,432	1,218	53	11,903	38,373	
" " 20	4,685	4,137	12,900	5,131	86	26,939	3,39,105	
" " 100	3,411	2,885	13,107	9,332	34	28,769	12,05,556	
" " 500	690	...	2,047	4,162	41	6,940	12,93,321	
" " 1,000	45	...	...	475	7	527	3,80,925	
" " 5,000	...	...	..	347	129	476	9,54,072	
" " 10,000	...	...	...	...	32	32	2,31,514	
" " 1,00,000	...	...	...	...	16	16	3,29,298	
Exceeding " 1,00,000	...	...	...	...	1	1	1,33,842	
Total... 1873	11,477	8,576	34,486	20,665	399	75,603	49,06,006	
Total... 1872	11,317	8,660	22,268	27,914	275	70,434	41,12,050	

K—14—89—395.

No. III.

Statement showing the general result of the trial of Original Suits in the District of the Central Provinces during the year 1873.

District and Small Cause Courts.	For disposal.					Disposed of								
								Dismissed for default.			Compromised.		Decreed on Confession.	
	Remaining at close of previous year.	Re-instituted during the year.	Received by transfer from other Provinces during the year.	Instituted during the year.	Total.	Transferred to other Provinces.	Plaints rejected or returned.	Number.	Percentage of total disposed of.	Withdrawn with leave.	Number	Percentage of total disposed of.	Number.	Percentage of total disposed of.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Nagpur ...	231	206	...	6,109	6,546	...	42	1,005	16·0	125	1,116	17·7	1,678	26·7
Principal Court of Small Causes, Nagpur ..	124	102	...	5,607	5,833	...	22	685	12·0	73	1,324	23·3	1,375	24·2
Court of Small Causes Kamthi, Cantonment ..	86	...	...	2,428	2,514	...	2	241	9·6	21	432	17·2	1,161	46·3
Chanda ...	88	12	..	2,149	2,249	...	11	336	16·1	17	394	18·9	646	31·0
Bhandara ...	124	54	...	2,609	2,787	...	11	383	14·3	44	320	11·9	904	33·8
Wardha ...	324	191	...	5,860	6,375	...	19	1,34[illegible]	21·9	120	951	15·5	1,787	29·1
Balaghat ..	55	92	...	1,099	1,246	...	10	284	24·8	21	142	12·4	274	23·9
Jabalpur ...	101	71	...	1,914	2,086	..	23	451	22·3	24	300	14·8	398	19·7
Principal Court of Small Causes, Jabalpur ...	95	24	...	2,230	2,349	13	17	571	25·1	11	211	9·3	257	11·3
Court of Small Causes, Jabalpur Cantonment ...	4	...	..	437	441	..	5	20	4·5	5	39	8·8	116	26·3
Sagar ...	79	69	...	2,910	3,058	..	19	445	15·4	43	533	18·4	760	26·3
Court of Small Causes Sagar Cantonment ...	7	1	..	431	439	...	4	17	3·8	3	79	18·0	163	37·1
Damoh ..	62	35	...	2,031	2,128	...	3	288	14·2	10	321	15·9	583	28·9
Seoni ...	105	47	...	1,645	1,797	...	12	356	20·2	26	253	14·6	394	22·7
Mandla ...	8	10	...	651	669	..	1	183	27·6	7	147	22·2	118	17·8
Hoshangabad ..	386	358	...	7,560	8,304	...	30	2,125	26·1	78	921	11·3	1,408	17·3
Betul ...	123	94	...	3,184	3,401	...	26	737	22·2	52	582	17·5	786	23·7
Narsinghpur ..	483	166	...	6,203	6,852	..	27	1,692	25·6	14	726	11·0	1,435	21·7
Chhindwara ...	148	63	...	3,570	3,781	...	25	648	17·8	7	716	19.7	1,061	27·6
Nimar ...	724	164	...	7,644	8,532	2	23	1,526	18·0	105	775	9·1	2,136	25·2
Small Cause Court, Asirgarh Cantonment ...	...	...	...	147	147	..	...	30	20·4	..	4	2·7	73	49·6
Raipur ...	72	59	...	2,598	2,729	.	11	477	18·2	30	441	16·8	696	26·6
Sambalpur ...	96	37	...	1,390	1,523	...	19	197	13·3	16	149	10·1	584	39·6
Bilaspur ...	86	35	..	2,046	2,167	...	5	601	29·1	8	340	16·4	357	17·3
Upper Godavari ...	13	2	...	250	265		5	28	10·8	...	44	16.9	70	27·0
Total ...	3,624	1,892	...	72,702	78,218	15	372	14,667	19·4	860	11,260	14·9	90,220	25·4
	2,197	...	15	73,955	76,167	38	390	13,287	18·3	943	11,652	16·1	18,365	25·3

Dispos

District and Small Cause Courts	Ex parte.					Contested (and disposed of by—)					
		Dismissed.		Total.		Judgment for plaintiff.				Judgment for defendant.	
						In whole.		In part.			
	Number decreed.	Number.	Percentage of total ex parte.	Number.	Percentage of total disposed of.	Number.	Percentage of total contested.	Number.	Percentage of total contested.	Number.	Percentage of total contested.
	16	17	18	19	20	21	22	23	24	25	26
Nagpur ...	684	62	8·3	746	11·8	812	51·9	377	24·2	374	23·9
Principal Court of Small Causes, Nagpur ..	900	17	1·8	917	16·1	548	42·7	420	32·9	313	24·4
Court of Small Causes, Kamthi Cantonment ..	71	1	1·3	72	2·8	214	37·1	238	41·2	125	21·7
Chanda ..	98	7	6·6	105	5·0	181	31·6	252	43·9	141	24·5
Bhandara ...	240	12	4·7	252	9·4	363	47·9	201	26·4	196	25·7
Wardha ...	531	24	4·3	555	9·0	591	43·9	475	35·2	283	20·9
Balaghat ...	156	16	9·3	172	15·0	82	33·8	72	29·7	88	36·5
Jabalpur ...	211	14	6·2	225	11·1	244	40·9	173	28·9	180	30·2
Principal Court of Small Causes, Jabalpur ..	97	1	1·0	98	4·3	334	30·0	492	46·3	257	23·7
Court of Small Causes, Jabalpur Cantonment ..	10	1	9·1	11	2·5	30	12·3	180	73·4	35	14·3
Sagar ...	284	9	3·0	293	10·1	395	49·9	220	27·9	176	22·2
Court of Small Causes, Sagar Cantonment ...	33	...	..	33	7·5	37	26·4	58	41·4	45	32·2
Damoh ...	208	3	1·4	211	10·4	359	60·1	117	19·5	122	20·4
Seoni ...	138	5	3·5	143	8·2	234	42·2	181	32·6	140	25·2
Mandla ...	24	4	14·3	28	4·2	49	27·5	77	43·3	52	29·2
Hoshangabad ...	1,555	68	4·1	1623	19·9	803	41·4	575	29·8	559	28·8
Betul ...	334	18	5·1	352	10·6	303	38·8	221	28·4	256	32·8
Narsingpur ...	1,075	10	0·9	1,085	16·4	748	46·2	490	30·4	380	23·4
Chhindwara ..	331	20	5·7	351	9·6	363	44·6	201	24·6	251	30·8
Nimar ...	1,551	74	4·5	1,625	19·2	1,145	50·9	660	29·2	450	19·9
Court of Small Causes Asirgarh Cantonment ...	8	...	...	8	5·4	19	59·3	7	21·9	6	18·8
Raipur ...	122	5	3·9	127	4·8	255	30·5	320	38·3	260	31·2
Sambalpur ...	72	...	..	72	4·8	180	41·4	127	28·8	130	29·8
Bilaspur ...	110	28	16·6	168	8·1	182	31·2	218	37·5	183	31·3
Upper Godavari ...	33	4	10·8	37	14·2	22	29·3	26	34·6	27	36·1
Total ...	8,906	403	4·3	9,309	12·3	8,493	42·7	6,378	32·1	5,029	25·2
	10,668	242	2·2	10,910	15·0	6,883	40·6	5,495	32·4	4,579	27·0

III—(*Continued*)

ed of			Pending.			Average.			Number of Suits disposed of.							Remarks.
Total.						Duration of Suits in days and tenths.										
Number.	Percentage of total disposed.	Total.	Total.	Over two and not over 4 months.	Over 4 months.	Contested.	Uncontested.	Number of hearings in Suits disposed of.	Instituted in *forma pauperis*.	In which commission issued for local investigation.	In which commission issued to investigate or adjus accounts.	In which reference was made to arbitrators.	In which any matter was decided on oath of party or witness.	In which costs in part or whole were decreed against a winning Plaintiff.	In which payment by instalment was decreed.	
27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	
1,563	24·9	6,275	271	5	1	35·0	18·6	2·0	19	92	172	2	15	331	398	
1,281	22·5	5,677	156	1	...	14·4	10·6	1·3	6	9	33		96	567	519	
577	23·0	2,506	8	...	...	11·0	8·9	1·1	1	3	8		16	138	660	
574	27·5	2,083	166	5	...	30·0	20·4	2·2	1	3	7		1	283	504	
760	28·4	2,674	113	...	...	23·1	14·4	2·0	4	57	76	1	19	257	262	
1,349	22·0	6,122	253	7	4	36·9	22·1	2·3	1	36	116	1	20	362	445	
242	21·1	1,145	101	...	...	23·5	16·9	2·0	1	5	2	...	2	11	42	
597	29·6	2,018	68	2	...	28·8	17·5	2·1	3	10	13	7	10	58	113	
1,083	47·7	2,267	82	...	...	13·8	13·0	1.3	..	3	4	2	..	158	24	
245	56·5	441	...	...	...	8·6	8·4	1·2	...	...	...	2	..	28	12	
791	27·4	2,884	174	1	..	31·3	19·3	2·2	1	20	8	4	25	155	230	
140	31·8	439	...	...	...	9·8	7·8	1·2	..	1	1	1	1	38	26	
598	29·6	2,014	114	1	...	28·0	18·7	1·9	...	4	2	5	22	177	182	
555	32·0	1,733	64	...	1	28·6	21·4	2·1	10	6	5	3	23	104	110	
178	26·8	662	7	...	..	20·3	13·7	2·3	...	...	1		1	28	53	
1,937	23·8	8,122	182	12	...	32·1	23·3	1·7	3	20	41	3	19	122	247	
780	23·5	3,315	86	...	...	24·6	19·5	1·9	13	7	3		5	136	473	
1,618	24·5	6,597	255	4	...	34·5	28·9	2·0	...	22	6		29	367	76	
815	22·5	3,623	158	1	...	31·0	21·5	1·7	1	14	4	1	11	93	229	
2,255	26·6	8,447	85	1	...	27·6	18·1	1·5	1	11	24	4	23	155	884	
32	21·7	147	...	...	...	7·7	8·9	1·0	...	...	...	...	...	...	45	
835	31·9	2,617	112	3	...	29·2	21·2	2·4	5	17	18	2	13	182	262	
437	29·6	1,474	49	1	...	29·8	18·9	2·3	1	4	2	2	4	94	288	
583	28·2	2,062	105	10	...	33·9	22·0	2·0	3	19	...		6	172	173	
75	28·9	259	6	2	...	30·6	21·5	2·0	4	2	1	...	2	10	23	
19,900	26·3	75,603	2,615	56	6	27·6	19·4	1·8	78	365	547	49	363	4,026	6,280	
16,957	23·4	72,542	3,625	78	9	28·1	17·5	1·7	...	...	..	53	...	...	...	

No

Statement showing the Execution of Decrees in the

Districts and Small Cause Courts.	Applications to execute decrees.					Struck off, execution for the time being ended and no coercive process remaining in force.				
	Pending from last year.	Filed.		Received by transfer.	Total.	Decrees completely executed.	Decrees partially executed.	Without execution.	Total.	Decrees executed by possession being given of specified property decreed.
		Verbally.	In writing.							
1	2	3	4	5	6	7	8	9	10	11
Nagpur ...	405	87	3,100	270	3,862	1,102	785	1,498	3,385	58
Principal C. of S. C., Nagpur ...	110	100	3,317	...	3,527	955	594	1,684	3,233	1
Cantonment S. C. Court Kamthi ...	89	28	1,634	...	1,751	357	555	764	1,676	...
Chanda ...	76	42	969	19	1,106	367	299	319	985	8
Bhandara ...	307	32	1,566	79	1,984	616	529	569	1,714	25
Wardha ...	227	82	2,618	48	2,975	974	536	1,144	2,654	22
Balaghat ...	75	18	580	15	688	203	162	241	606	3
Jabalpur ...	257	20	1,107	57	1,441	366	309	554	1,229	80
Principal C. of S. C., Jabalpur ...	62	18	1,070	...	1,150	214	388	493	1,095	...
Cantonment S. C. Court Jabalpur ...	14	1	172	...	187	48	67	69	184	...
Sagar ...	228	34	1,939	42	2,243	448	576	898	1,922	42
Cantonment S. C. Court Sagar ...	3	7	147	...	157	55	54	45	154	..
Damoh ...	173	107	745	22	1,047	383	258	286	927	20
Seoni ...	121	20	867	9	1,017	221	229	484	934	...
Mandla ...	8	...	156	13	177	56	60	59	175	...
Hoshangabad ...	449	90	4,328	10	4,877	1,012	1,200	2,367	4,579	35
Betul ...	118	9	1,356	16	1,499	411	387	512	1,310	27
Narsinghpur ...	747	52	4,265	6	5,070	1,092	1,626	1,869	4,587	72
Chhindwara ...	186	37	1,238	...	1,461	514	392	328	1,234	26
Nimar ...	440	4	3,792	23	4,259	1,969	581	1,428	3,978	43
Cantonment S. C. Court, Asirgarh ...	...	...	43	...	43	18	11	14	43	...
Raipur ...	107	17	878	17	1,019	351	233	341	925	10
Sambalpur ...	52	..	455	..	507	229	96	133	458	6
Bilaspur ...	88	10	590	3	691	247	170	199	616	5
Upper Godavari ...	7	20	40	1	68	37	14	14	65	..
Total ... 1873...	4,349	835	36,972	650	42,806	12,245	10,111	16,312	38,668	483
Total ... 1872 ..	3,393	1,502	35,486	441	40,822	12,493	9,319	14,691	36,503	271

IV

Districts of the Central Provinces during the year 1873.

Pending.			Claims to attached Property decided.		Nature and number of coercive processes issued								REMARKS.
						Moveable Property.		Immoveable Property.		Orders under Section 243, Act VIII. of 1859.			
Total.	Over two and not over four months.	Over four months.	For claimant in whole or part.	Against claimant.	Persons actually committed to prison.	Number of warrants in execution of which attachment was effected.	Number of orders for sale executed.	Number of warrants in execution of which attachment was effected.	Number of orders for sale executed and confirmed.	Manager appointed.	Sale postponed.	Temporary alienations under Section 244, Act VIII. of 1859	
12	13	14	15	16	17	18	19	20	21	22	23	24	25
477	52	47	239	121	76	791	389	951	466	18	...	6	
294	4	...	89	67	74	489	297	...	...	...	...	...	
75	...	...	25	8	10	368	131	...	...	...	...	...	
121	16	7	47	39	8	455	166	142	58	7	...	...	
270	...	6	135	108	32	794	379	458	212	13	...	3	
321	28	29	145	118	73	951	382	392	180	...	...	7	
82	10	8	22	22	16	320	117	76	43	4	...	...	
212	17	110	35	100	23	316	114	232	127	6	...	1	
55	...	...	21	57	33	291	143	...	...	...	...	...	
3	...	...	...	...	10	38	20	...	...	...	...	...	
321	48	95	67	173	43	448	150	597	221	34	5	4	
3	...	...	1	1	10	25	7	..	...	...	..	...	
120	1	11	43	35	31	220	86	182	75	29	16	8	
83	4	19	38	32	9	202	93	138	53	1	3	...	
2	1	...	13	11	2	40	11	30	13	...	...	...	
298	31	23	135	201	132	1,199	606	985	411	1	6	...	
189	54	35	67	48	27	391	200	333	142	13	...	...	
483	94	155	129	167	51	1,089	558	1,027	492	65	...	...	
227	15	14	62	96	11	546	248	361	144	...	...	5	
281	12	3	247	223	122	732	344	463	166	..	..	1	
...	...	...	...	...	...	11	...	...	...	...	...	...	
94	1	11	37	25	12	365	158	68	26	...	..	1	
49	...	...	7	1	4	198	92	67	20	...	...	...	
75	11	6	10	13	25	260	117	45	27	...	...	...	
3	...	..	...	...	...	29	13	2	1	...	...	...	
4,138	399	579	1,614	1,666	834	10,568	4,821	6,549	2,877	191	30	36	
4,319	430	588	...	...	945	10,639	4,974	6,172	2,831	176	7	47	

No. V.

Statement showing the Appellate business of the Courts of the Central Provinces for the year 1873.

Courts from whose orders appeals were preferred.			For disposal.				Disposed of.										Pending.				
In the Court of			Details required only in Annual Statements						Heard *ex parte*.			Contested.									
			Remaining at close of previous year.	Received by transfer from other provinces.	Instituted or re-admitted (Col. 6 minus Cols. 3, 4.)	Total (Col. 16 plus 17.)	Transferred to other provinces.	Dismissed for default or under Sections 5 and 6, Act XXIII. of 1861.	Confirmed.	Modified.	Reversed.	Confirmed.	Modified.	Reversed.	Remanded under Section 351, Act VIII. of 1859.	Total.	Total.	Over for months.	Number of cases in which objections under Section 348, Act VIII of 1859 were— Preferred.	Allowed (because successfully maintained).	Average duration of each appeal tried.
1			2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
Judicial Commr.		From Decrees Ordinary	7	...	88	95	...	...	...	1	1	17	1	23	34	77	18	13	..	...	45·0
		" Rent Law	...	...	1	1	...	...	...	...	...	...	1	...	...	1	...	...	...	...	40·0
		From Orders	...	...	2	2	...	...	...	...	1	...	...	1	...	2	...	..	...	..	37·0
Commissioners.	Nagpur	From Decrees Ordinary	13	..	86	99	...	8	3	3	...	32	14	15	10	85	14	2	5	..	60·9
		" Rent Law	6	...	66	72	...	6	3	...	1	17	5	11	7	50	22	..	2	1	41·5
		From Orders	1	...	13	14	...	1	...	...	...	2	1	3	1	8	6	...	...	..	30·7
	Jabalpur	From Decrees Ordinary	45	...	139	184	1	10	19	2	5	77	20	15	17	166	18	8	1	1	41·4
		" Rent Law	4	...	34	38	...	6	2	1	...	17	3	4	2	35	3	...	...	..	30·3
		From Orders	9	...	36	45	...	3	16	...	1	5	2	8	8	43	2	...	...	..	40·8
	Narbada	From Decrees Ordinary	127	..	187	314	...	52	9	2	1	122	26	15	75	302	12	1	..	...	71·8
		" Rent Law	14	...	48	62	...	10	...	...	...	26	1	6	8	51	11	1	...	..	79·6
		From Orders	8	..	30	38	...	5	...	...	...	24	...	3	4	36	2	...	..	...	71·8
	Chhattisgarh	From Decrees Ordinary	28	..	53	81	...	5	24	1	8	17	3	2	17	77	4	...	...	...	104·7
		" Rent Law	...	...	23	23	...	3	6	1	...	...	...	6	6	22	1	...	..	...	67·3
		From Orders	2	...	8	10	...	1	3	...	4	...	...	...	2	10	...	...	...	.	65·8
Total in Courts of the Commrs.		From Decrees Ordinary	213	...	465	678	1	75	55	8	14	248	63	47	119	630	48	11	6	1	69·3
		" Rent Law	24	...	171	195	...	25	11	2	1	60	9	27	23	158	37	1	2	1	54·9
		From Orders	20	...	87	107	...	10	19	...	5	31	3	14	15	97	10	..	...	...	54·0

Deputy Commissioners.	Nagpur	From Decrees	..	13	...	187	200	...	5	...	...	...	114	8	21	18	166	34	...	...	...	31·5
		From Orders	...	1	...	20	21	...	...	...	...	...	13	2	2	2	19	2	...	...	...	23·7
	Chanda	From Decrees	..	..	...	61	61	...	2	5	2	1	27	9	11	2	59	2	...	...	...	19·4
		From Orders	...	...	...	3	3	...	...	...	...	...	...	...	2	1	3	...	...	...	...	30·3
	Bhandara	From Decrees	...	1	...	51	52	..	...	1	...	...	42	4	3	2	52	...	...	...	...	9·0
		From Orders	...	...	...	4	4	...	1	...	...	...	2	...	1	...	4	...	...	...	..	7·0
	Wardha	From Decrees	...	14	...	212	226	...	17	..	2	4	105	23	27	28	206	20	...	7	5	25·5
		From Orders	..	...	...	20	20	..	3	...	...	...	7	1	2	5	18	2	...	...	...	19·5
	Balaghat	From Decrees	...	9	...	64	73	...	13	8	...	3	31	5	8	2	71	2	...	...	...	28·8
		From Orders	..	1	...	8	9	...	1	2	1	1	1	...	1	3	9	...	...	...	...	14·2
	Jabalpur	From Decrees	..	..	...	91	91	..	9	3	...	1	46	8	7	5	80	11	...	...	...	15·9
		From Orders	...	...	...	12	12	...	2	...	3	1	6	...	1	1	11	1	...	...	...	10·8
	Sagar	From Decrees	..	...	...	103	103	..	2	2	...	1	62	6	17	7	100	3	...	...	...	10·9
		From Orders	..	...	...	4	4	..	...	1	...	...	2	...	...	..	3	1	...	...	...	10·0
	Damoh	From Decrees	...	...	...	84	84	...	5	...	...	1	48	5	14	5	78	6	...	...	...	6·1
		From Orders	...	...	...	4	4	...	...	...	...	...	3	...	1	...	4	...	...	...	...	8·2
	Seoni	From Decrees	...	1	...	91	92	..	5	1	1	2	49	4	13	7	81	11	...	...	...	13·0
		From Orders	...	...	.	9	9	...	1	2	1	...	3	...	2	...	9	...	...	...	...	6·0
	Mandla	From Decrees	...	...	...	10	10	..	1	...	...	...	7	1	1	...	10	...	...	...	...	8·4
		From Orders	...	...	...	...	...	..	...	...	...	...	...	...	..	...	...	...	...	...	...	...
	Hoshangabad	From Decrees	..	7	...	316	323	...	28	5	...	2	109	14	49	73	280	43	...	...	...	19·9
		From Orders	...	...	...	24	24	...	4	4	...	1	9	...	2	3	23	1	...	...	...	12·9
	Betul	From Decrees	...	2	...	141	143	..	9	7	...	...	76	7	21	16	136	7	...	...	...	14·9
		From Orders	...	...	...	8	8	...	1	1	...	...	4	..	..	1	7	1	...	...	...	12·7
	Narsinghpur	From Decrees	..	3	...	262	265	...	12	11	2	3	136	14	42	25	245	20	...	...	...	17·3
		From Orders	...	...	...	17	17	...	1	1	...	1	7	...	3	4	17	...	...	...	...	16·4
	Chhindwara	From Decrees	...	1	...	141	142	..	22	3	1	1	49	11	47	3	137	5	...	...	...	14·5
		From Orders	..	...	...	4	4	...	...	1	...	...	2	..	...	1	4	...	...	...	...	15·5
	Nimar	From Decrees	...	8	...	193	201	...	12	2	...	..	116	25	34	11	200	1	...	...	..	18·9
		From Orders	...	...	...	15	15	...	5	1	...	1	4	...	4	...	18	...	...	...	...	12·3
	Raipur	From Decrees	..	2	...	97	99	...	3	...	...	..	58	6	10	10	87	12	...	...	...	18·2
		From Orders	...	...	...	5	5	...	...	...	...	...	4	...	1	...	5	...	...	...	...	11·2
	Sambalpur	From Decrees	...	4	...	55	59	...	4	...	...	..	31	3	12	5	55	4	...	...	...	30·2
		From Orders	...	...	..	5	5	...	...	...	...	5	...	...	...	...	5	...	...	...	...	6·0
	Bilaspur	From Decrees	..	3	...	118	121	...	17	1	...	...	48	10	37	...	113	8	...	...	...	26·6
		From Orders	..	...	...	5	5	...	1	...	...	...	2	...	2	...	5	...	...	..	...	20·4
	Upper Godavari	From Decrees	...	...	...	5	5	..	...	2	...	...	...	1	1	...	4	1	...	...	...	38·2
		From Orders	...	...	...	...	..	...	...	...	...	...	...	..	..	...	...	...	...	...	..	...
Total in all Courts of the Deputy Commissioner		From Decrees	...	68	...	2,282	2,350	..	166	51	12	19	1,154	164	375	219	2,160	190	...	7	5	19·5
		From Orders	...	2	...	167	169	...	20	13	1	10	69	3	24	21	161	8	...	...	...	14·8
Total in all Courts.		From Decrees Ordinary	...	238	...	2,835	3,123	1	241	106	21	34	1,419	228	445	372	2,867	256	24	13	6	30·5
		" Rent Law	...	24	...	172	196	...	25	11	2	1	60	10	27	23	159	37	1	2	1	54·8
		From Orders	...	22	...	256	278	...	30	32	1	16	100	6	39	36	260	18	...	...	...	29·6
		Grand Total	...	334	...	3,263	3,597	1	296	149	24	51	1,579	244	511	431	3,286	311	25	15	7	31·6

No.

Statement of Process

		FEES LEVIED.								
		On processes directed to be served by European Bailiff (Special Rule I.)		On other processes issued.			For assisting in distraint (Special Rule III.)	Additional fees.		Grand total of fees levied, columns 2 to 9.
		At 2 Rs. rate.	At Rs. 1 rate.	At 1 Rs. rate.	At 8 As. rate.	At 4 As. rate.		Under Special Rule IV.	Under Special Rule V.	
1		2	3	4	5	6	7	8	9	10
		Rs.	Rs.	Rs.	Rs. a.	Rs. a.		Rs. a. p.	Rs. a. p.	Rs. a. p.
Nagpur ...	Old rate ..	...	...	..	...	..	...	...	..	2,026 6 0
	Civil ..	24	19	2,399	1,850 0	4,123 8	...	7 12 0	20 8 0	8,443 12 0
	Revenue ..	..	...	217	77 0	352 0	...	...	0 12 0	646 12 0
Principal Court of Small Causes, Nagpur ...	Old rate ...	...	..	...	...	...	..	..	..	507 15 0
	Civil ..	90	319	2,094	516 8	3,152 8	..	..	..	6,172 0 0
Court of Small Causes, Kamthi Cantonment .	Old rate ...	...	...	...	...	...	..	..	..	247 15 0
	Civil ...	...	...	602	426 8	812 0	...	7 4 0	..	1,847 12 0
Chanda ...	Old rate ...	..	...	...	...	...	...	..	..	409 12 0
	Civil ...	...	...	670	518 0	1,074 0	2	7 8 0	1 12 0	2,273 4 0
	Revenue ...	.	...	29	16 8	81 0	...	..	...	126 8 0
Bhandara	Old rate ..	..	...	..	...	..	...	...	...	2,065 5 0
	Civil .	.	..	326	848 8	1,164 4	...	..	..	2,338 12 0
	Revenue ..	..	..	36	80 0	108 8	...	...	...	224 8 0
Wardha ..	Old rate	...	..	..	...	...	...	...	...	2,034 9 0
	Civil ..	...	...	1,860	1055 8	3,090 0	...	62 4 0	...	6,067 12 0
	Revenue ...	...	...	33	13 0	270 0	...	...	...	316 0 0
Balaghat .	Old rate ..	...	...	...	...	...	...	...	.	254 4 0
	Civil	..	.	295	331 8	589 8	...	...	.	1,216 0 0
	Revenue .	..	...	35	43 0	56 0	...	..	.	134 0 0
Jabalpur ...	Old rate ...	...	..	...	...	..	..	..	..	2,928 3 0
	Civil ..	..	...	339	304 8	993 4	...	20 4 0	3 8 0	1,660 8 0
	Revenue ..	...	..	40	30 8	143 0	.	6 8 0	..	220 0 0
Principal Court of Small Cause, Jabalpur .	Old rate ..	..	...	...	...	..	.	...	...	1,498 13 0
	Civil ...	52	54	218	138 8	882 12	..	...	...	1,345 4 0
Court of Small Causes, Jabalpur Cantonment	Old rate ..	...	...	...	...	...	...	..	..	151 9 0
	Civil ...	..	...	50	29 8	134 12	...	..		214 4 0
Sagar	Old rate	..	...	..	..		...	..	..	2,317 5 0
	Civil	.	.	1,539	799 0	2,419 4	...	33 0 0	28 8 0	4,818 12 0
	Revenue	..	..	103	67 0	196 8	.	..	...	366 8 0
Court fo Small Causes, Sagar Cantonment ..	Old rate	...	..	...	.	..	...	...	...	59 3 0
	Civil	.	..	65	54 0	207 4	..	..	..	326 4 0
Damoh	Old rate	.	..	..	.	.	...	..	...	2,278 9 0
	Civil ...	...	...	268	292 0	636 12	...	16 0 0	...	1,208 4 0
	Revenue ...	..	...	25	30 8	67 12	...	3 4 0	...	126 8 0
Seoni .	Old rate	..	...	..	..	...	...	...	...	930 6 0
	Civil	.	...	601	277 0	1,026 12	...	...	...	1,907 12 0
	Revenue	..	...	39	9 0	95 8	...	...	...	143 8 0
Mandla ...	Old rate		..	..	..	.	...	...	..	500 6 0
	Civil	...	...	39	53 0	174 8	...	...	...	266 8 0
	Revenue	..	...	4	7 0	16 4	..	...	..	27 4 0
Hoshangabad ...	Old rate	..	..	...	...	.	..	..	..	8,490 11 0
	Civil	..	...	1,428	1,400 8	2,820 4	...	40 8 0	1 8 0	5,690 12 0
	Revenue	..	...	66	60 0	152 0	...	...	...	284 0 0
Betul ..	Old rate	..	..	.	..	...	...	..	...	674 2 0
	Civil	...	..	1,265	828 0	1,881 8	...	24 4 0	...	3,999 4 0
	Revenue	...	..	132	78 8	210 12	..	...	..	421 4 0
Narsinghpur .	Old rate ..	..	...	...	...	..	...	...	..	7,467 4 0
	Civil ...	.	...	1,679	699 0	2,326 0	...	84 4 0	11 0 0	4,799 4 0
	Revenue ...	..	...	253	174 0	253 12	..	..	.	680 12 0
Chhindwara	Old rate ..	...		..	..	...	...	...	..	1,248 8 0
	Civil	..	...	688	885 9	1,832 0	...	8 4 0	...	3,413 4 0
	Revenue ..	...	.	21	21 0	54 12	..	...	...	97 4 0
Nimar ..	Old rate	...	..	..	..	...	..	..	...	6,264 12 0
	Civil ..	..	..	740	976 8	1,858 4	..	8 0 0	..	3,582 4 0
	Revenue ...	...	..	...	14 0	29 3	..	..	..	43 8 0
Court of Small Causes, Asirgarh Cantonment .	Old rate ..	...	..	..	..	...	...	...	.	85 14 0
	Civil	.	.	15	5 0	37 0	..	.	26 6 0	83 6 0
Raipur	Old rate ..	.	..	..		...	..	...	...	481 0 0
	Civil ..	..	...	699	407 0	1,272 12	...	...	...	2,378 12 0
	Revenue	...	.	50	27 0	129 0	..	...	...	206 0 0
Sambalpur	Old rate ..	...	..	..	..	..	..	..	..	899 6 0
	Civil ..	...	...	212	58 0	527 12	..	...		797 12 0
	Revenue ...	..	...	102	17 8	445 8	...	...	...	565 0 0
Bilaspur .	Old rate .	...	..	..	...	..	..	..	..	716 15 0
	Civil .	..	...	738	220 8	845 0	...	...	..	1,803 8 0
	Revenue .			105	22 8	162 4	.	..	...	289 12 0
Upper Godavari ...	Old rate ..	..	..	..	...		...		..	51 11 0
	Civil .	..	..	28	12 0	96 8	..	..	..	136 8 0
	Revenue .	..		.	0 8	2 0	..	.	...	2 8 0
Total New rate...	Old rate ..	...	...	..	...	..	..	..	..	44,590 11 0
	Civil ...	166	392	1,8865	12,986 0	33,978 0	2	319 4 0	93 2 0	66,791 6 0
	Revenue ...	...	...	1,290	795 0	2,826 0	...	9 12 0	0 12 0	4,921 8 0
GRAND TOTAL ...		166	392	20,145	13,781 0	36,804 0	2	329 0 0	93 14 0	116,303 9 0

VI.

Fees for the year 1873.

CHARGES. In separate detail for each Court or set of Courts having a joint establishment.										Collectively or the district.			
Naib Nazirs.		Peons.								Contingencies.			
			1st Class at Rs. 10.		2nd Class at Rs 8.		3rd Class at Rs. 6.						
Class and period for which employed.	Total salary.	Salary of European Bailiff.	No. on last day.	Total salary.	No. on last day.	Total salary.	No. on last day.	Total salary.		Heads of charge, *e.g.* process forms, registers, other stationery Official Postage, surveys, badges, furniture &c.	Charge under each head.	Grand total of all charges (columns 12, 13, 15, 17, 19 and 21.)	Number of processes re-issued without charge, Special Rule VI.
11	12	13	14	15	16	17	18	19		20	21	22	23
	Rs. a. p.			Rs. a. p		Rs. a. p.		Rs a. p.			Rs, a. p.	Rs. a. p.	
1 2nd Class and 3 3rd Class for whole year.	844 3 8	...	6	613 13 11	9	830 12 6	66	4,890 2 6		Book binding.	11 0 0	7,191 6 3	...
1 1st Class whole year.	360 0 0	540	5	522 11 8	...	...	28	1,926 1 0		Not stated.	497 13 9	3,846 10 5	...
1 2nd Class whole year.	480 0 0	...	1	120 0 0	...	...	6	437 0 0		...	..	1,032 0 0	...
1 3rd Class for 12 months.	180 0 0	...	1	116 7 2	4	284 9 3	18	1,402 10 0		Postage.	3 2 0	1,986 12 5	148
2 2nd Class for 6 months.	240 0 0	...	3	228 5 5	3	192 0 0	25	1,479 15 5		Binding, postage, stationery, and punching machines.	253 14 0	3,747 5 3	...
3rd Class 3 whole year.	540 0 0	...	1	113 14 0	6	410 12 11	36	2,608 7 11		..	...	...	...
1 3rd Class for 12 months.	180 0 0	...	1	120 0 0	1	72 0 0	13	1,046 12 7		...	...	1,418 12 7	43
1 2nd and 3rd Class for 6 months.	210 0 0	...	4	207 6 9	1	159 13 6	5	730 3 5		...	...	2,873 3 2	17
...	..	330	2	120 0 0	...	...	10	381 6 11		Postage and badges.	13 12 0	1,379 13 10	17
1 3rd Class for 6 months.	72 0 0	...	...	...	..	...	1	36 0 0		...	...	216 0 0	...
3 2nd Class for 9 months.	352 14 6	..	3	251 7 9	3	223 0 3	19	1,641 9 11		Printing, postage and stationery.	300 5 2	3,663 12 5	...
1 3rd Class for 10 months.	150 0 0	...	...	...	...	...	2	120 0 0		Printing and peons' badges.	31 4 8	355 4 8	17
1 2nd and 1 3rd Class for 6 months.	210 0 0	...	1	95 8 0	1	82 10 8	11	760 10 0		Betts for peons.	11 15 8	2,328 14 1	22
...	...	...	2	346 7 3	2	119 3 1	20	1,173 4 8		...	...	2,163 8 10	...
...	..	...	1	70 0 0	...	...	3	320 5 7		...	...	684 12 9	...
1 2nd and 3 3rd Class for 6 months.	390 0 0	...	9	527 8 0	3	170 0 0	35	2,100 2 2		Binding stationery, repairs to boxes, peons badges &c.	173 9 6	6,707 6 2	3
1 2nd and 1 3rd Class.	407 0 0	...	4	344 9 6	2	183 12 0	30	2,017 13 4		Not stated.	153 3 0	3,466 11 10	8
1 2nd and 2 3rd Class for 6 months.	300 0 0	...	3	175 0 0	5	226 1 0	48	1,624 10 3		...	...	4,710 14 1	31
1 2nd and 1 3rd Class for 9 months.	300 0 0	...	2	256 2 0	1	132 0 0	19	1,329 3 2		Badges, postage and binding.	34 14 4	2,735 15 10	39
1 2nd and 1 3rd Class for 6 months.	210 0 0	...	6	335 12 9	...	24 0 0	24	861 9 10		...	...	3,129 7 9	102
...	..	...	...	...	...	...	1	30 0 0		Not stated	26 6 0	118 12 0	...
1 2nd Class for whole year.	238 0 0	...	1	231 3 10	...	..	11	1,696 7 11		Binding and postage.	32 6 6	2,456 12 2	...
...	...	...	1	70 0 0	1	56 0 0	8	382 13 4		Badges for peons.	4 0 0	920 3 7	...
3 3rd Class for whole year	357 0 0	...	2	220 0 0	2	169 6 0	5	*1,478 9 3		...	...	2,224 15 5	...
..	...	...	..	...	...	...	2	93 9 5		...	...	157 5 11	4
...	6,030 2 2	900	59	5,086 6 0	44	3,336 1 1	446	30,564 8 6		...	1,547 10 7	59,516 13 3	...
...	6,030 2 2	900	59	5,086 6 0	44	3,361 1 1	446	30,564 8 6		...	1,547 10 7	†59,516 13 3	434

* Owing to fluctuation of Servers.

† The total of the charges include also charges under the old rate, and therefore will not correspond with the charges under the column as noted in Column 22.

No. 1302/30

FROM

J. W. NEILL, ESQ.

OFFG. SECRETARY TO THE CHIEF COMMISSIONER.

Central Provinces,

To

THE REGISTRAR,

JUDICIAL COMMISSIONER'S COURT,

Central Provinces.

Dated Nagpur, the 13th April 1875.

SIR.

I am directed to acknowledge the receipt of your letter No. 259, dated 19th February, being the report on the administration of Civil Justice during the year 1874. The report is drawn up in the same form as usual, and gives ample information regarding the litigation generally, and the working of the Courts; but during the past year litigation presented no remarkable features, and the Courts worked very much as usual: hence it happens that the report contains nothing of peculiar interest, and the Chief Commissioner need only advert very briefly to the information given under the more important heads into which the subject has been divided.

Number of Courts.

2. The number of Civil Courts open for the hearing of suits was 128, or 9 more than existed in 1873. The increase is due to the investiture of 6 additional Naib Tahsildars, at various places, with civil powers; and to the addition of 5 to the number of Assistant Commissioners employed on Civil Judicial work;—arrangements made more with a view to administrative convenience and efficiency, than from any necessity to create new Courts for the disposal of additional business. It is expected indeed that at sundry other places Naib Tahsildars will have to be authorized to undertake the duties of Civil Judges in petty cases; and wherever circumstances may render it expedient to grant such authorization, the Chief Commissioner will be prepared to grant it.

Court-houses

3. The Chief Commissioner is aware that in the matter of court-houses a good deal remains to be done at various stations; but he can hold out no hope of better accommodation being speedily provided. There are too many demands on the Provincial Public Works grant to permit of the Chief Commissioner giving more than their legitimate share to such objects as court-houses and similar buildings, and Judicial Officers must be content to see gradual improvement. The remarks made regarding the unsuitableness of unshaded walls and iron roofs in the construction of court-houses will be brought to the notice of the Public Works Department.

Ministerial establishments.

4. In paragraph 12 the Judicial Commissioner remarks on the weakness of the ministerial establishments, alleged in some districts to necessitate the employment of persons not borne on the establishments or paid in any regular way; but without expressing any opinion as to whether any real necessity of the kind exists, your first step will be to discover the real facts in each district from which complaint is made, or in which a practice such as described above exists; and Mr. Morris will be glad if the

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Judicial Commissioner will assist him in this. Hereafter it can be determined whether additional establishment is required, or whether a want of method may not be the real cause of a vicious practice.

Pleaders.

5. The subject of pleaders is referred to in paragraph 13, and if the extracts regarding them from the district reports are fair samples of the general opinion concerning them, it would appear that they are not held in high estimation or found to be of much assistance in the trial of suits. At the same time many people find them a convenience and employ them ; and it is to be feared that their existence only makes more certain what, under any circumstances, might perhaps be looked upon as inevitable in civil litigation, viz., that the longest purse must ultimately win. They can be employed by the rich, but are a luxury beyond the poor.

Amount of litigation.

6. The number of suits instituted during the year was 76,639, or 2,045 more than in the preceding year. The increase is in itself not great, and the two districts of Raipur and Wardha account for the greater part of it. In Raipur 1,000 suits more than in the preceding year were filed ; in Wardha the excess over the previous year's numbers was well nigh 800, yet even now litigation has in these districts not assumed any undue magnitude. In other districts there have been fluctuations, in some a slight increase, in others a decrease ; but the variations are not such as to call for any elaborate explanation. The Judicial Commissioner has quoted largely from the reports of Deputy Commissioners on the subject of the increase or decrease of litigation apparent in their districts ; but their explanations are, as a rule, no explanations, and in many instances no explanation at all was required. What the remarks most forcibly illustrate is, how vain it is to attempt to find a reason for trifling fluctuations from year to year in the number of suits brought before the Courts. It is easy to hazard guesses of various kinds, but then such guesses can only be taken for what they are worth. The remarks of the Deputy Commissioner of Sambalpur on the reasons why litigation should increase are interesting in themselves ; but they can scarcely have been suggested by the circumstances of his own district during the year, for he had no increase to explain. There is of course much truth in what he says about the effect of our rule being to break up the native social system, and thus to render recourse to our law Courts necessary on the occurrence of disputes which would formerly have been otherwise settled ; and this particular feature of our rule was forcibly dwelt on by Mr. W. B. Jones, when as Commissioner of the Narbada Division he, in the Judicial report for 1871, attempted to explain why in the Nimar district suits were much more numerous than in any other district of the Province. There must, however, come a time when this cause ceases to work, or at any rate the force with which it acts must, after a certain time, sensibly diminish. That time has probably come in most parts of the Central Provinces, and we must look to other causes as well, if we would know why our Courts are more and more resorted to.

Value of suits.

7. The average money value of suits has remained unchanged, and so also have the proportions of suits of different values. 15·5 per cent of all suits were for less than Rs. 5 ; 51 per cent of all suits for less than Rs. 20 ; and 89 per cent of all suits for sums not exceeding Rs. 100. The average value of suits was Rs. 64 ; but it is clear from what has been shown above, that this average value would not have been so high but for a few suits of very high value. The litigation in the Central Provinces is certainly of the pettiest character, and that is owing to the poverty of the people and the nature of the litigation.

Description of suits.

8. Of 77,225 suits, 64,718, or nearly 84 per cent of the whole, were for money due on bond or other contract. It is the average value of these suits that is so small. 8·5 per cent, or 6,540 suits, were for the recovery of moveable property or its value. Only 2,501 suits, or 3·2 per cent, were for immoveable property.

Suits were then of the very simplest nature, small debts predominating vastly. Of these, 39,271, or 60 per cent, were brought on bonds ; 12,158, or nearly 19 per cent, were parole debts ; and the rest were of a miscellaneous character, suits for goods sold being most numerous. In respect of these proportions, the year 1874 is very nearly a repetition of 1873. Neither the character of the litigation nor the proportion in which the suits fall into the various classes exhibits any material variation, except that there is a tendency of suits on written obligation to increase, and those on unwritten obligations to decrease *pro tanto*.

Distribution of business

9. It has next to be seen how the Judicial work was distributed among the Courts, and this is shown in paragraph 25,

12,275	suits or	15·9	per cent of the whole	were	heard in the	Small Cause Courts.
13,564	,,	17·6	,,	,,	,,	by Naib Tahsildars.
34,442	,,	44·6	,,	,,	,,	by Tahsildars.
16,574	,,	21·4	,,	,,	,,	by Asst. Commissioners.
368		...	...	...	...	by Depy. Commissioners.

Compared with the preceding year, fewer suits were heard by Assistant Commissioners and more by Tahsildars.

During the last two years the tendency has been to relieve Assistant Commissioners of a portion of their Judicial work and to impose it on Tahsildars and Naib Tahsildars. As remarked by the Judicial Commissioner, "In 1874 the Courts of "the Assistant Commissioners disposed of little more than half, Naib Tahsildars "nearly double the amount of business they disposed of in 1871." Tahsildars too hear a third more cases than they did in 1871. The Chief Commissioner does not know, however, whether he can join the Judicial Commissioner in thinking that, even from a judicial point of view, "the downward tendency of business in the "manner of its distribution could not 'be approved.'" The downward tendency of business is simply owing to adherence to the rule that every suit shall ordinarily be tried in the lowest Court competent to hear it ; and it would be a question of fact whether the judicial work is less satisfactorily done than formerly. When it is remembered that only 1 out of every 4 suits is contested, it seems clear that it needs no great skill or acumen to determine the great majority of suits. The judge has to do nothing but enter up judgment or strike off the case. The great majority of our suits too are of the most petty kind and the simplest nature ; wherefore a Tahsildar or Naib Tahsildar can in most cases be trusted to decide them properly ; and if so then to employ a highly paid judge to do what an inferior one can do equally well, would be justifiable neither from a judicial nor any other point of view. It is always possible to lay down that any particular class of case shall not be heard in the lower but shall go before the higher Courts, and this the Judicial Commissioner has arranged for, as he explains in paragraph 27. The Chief Commissioner is therefore inclined to think that while the Executive has gained, the Judicial department has lost nothing by the changes which have taken place in the last few years, nor has Mr. Morris been able to learn that the people in any way disapprove of the change.

Results of trials

10. The results of trials are exhibited in a table in paragraph 28.

26·8	per cent of	suits	were	decreed on confession.
17·9	,,	,,	,,	dismissed for default.
14·9	,,	,,	,,	compromised.
11·6	,,	,,	,,	decreed *ex parte*.
1·3	,,	,,	,,	withdrawn.
·5	,,	,,	,,	dismissed *ex parte*.
·6	,,	,,	,,	plaints rejected.
26·4	,,	,,	,,	contested,

Compared with the results of 1873, the only noticeable change is that percentage of confessions has increased by something over 1 per cent, and that the dismissals in default has decreased in proportion.

The Judicial Cnmmissioner has carefully gone into the question of the particular percentages under each one of these heads for most districts. It is unnecessary that the Chief Commissioner should follow him in his remarks. Mr. Morris would only observe that it seems to him that whether a case when decided is classed as decided in this or that way must depend a good deal on the particular interpretation the judge or his reader put upon the words "compromised," "on confession," "contested," &c. ; and this view would appear to be borne out by the remarks of the Deputy Commissioner of Nimar on the subject of confession, and of the Deputy Commissioner of Saugor regarding contested cases. It is of course possible to lay down rules for guidance in determining into what category a decided case shall fall, but it is not so easy to see that the rules are properly applied. For instance, A brings a suit against B for a certain sum of money ; B appears and admits that he is indebted in three-fourths of the amount ; A accepts his explanation, and the judge passes a decree for the amount admitted by B. Now some officers would probably call this a contested case ; but it would be quite possible to treat it as one decreed on confession, and it would also be defensible to say it had been decided on compromise. The Chief Commissioner thinks, therefore, it is possible to attach too much importance to the percentages of cases decided in various manners set forth in paragraph 28. Allowance has also to be made for the idiosyncracies of the people of different parts of the country. So uniformity in the averages could scarcely be expected, and if met with, could hardly be trusted.

What is above all things necessary is, that the Judicial Commissioner's precept, that all officers deciding cases should try to get to the bottom of them, and not rest satisfied with a slovenly decision, should be constantly borne in mind and unremittingly put in practice ; and it must rest with the superior Courts to judge whether the lower Courts act in this way, by inspecting their proceedings.

Duration of suits.

11. The duration of suits is perhaps as short as can be expected. The average is shown to have been 26·1 days in contested and 17·9 days in uncontested suits. Further improvement in some districts appears to be looked for, but it must be seen that a desire to work fast does not interfere with the more important desideratum—that the work shall be well done.

Appeals.

12. The number of appeals was :—

To Deputy Commissioners	...	2,811
,, Commissioners	...	619

which shows that in about 17 per cent of the cases in which an appeal could be made, one was preferred.

In the Commissioners' Courts, 53·5 per cent of decrees appealed against were confirmed ; 16·3 per cent were reversed ; and 9·6 per cent modified ; in 12·6 per cent of cases they were remanded for re-trial ; and 8 per cent of the appeals were dismissed.

In Deputy Commissioners' Courts the percentages were as follows :—

8	per cent	dismissed for default.
11	,,	remanded for re-trial.
8	,,	modified.
18	,,	reversed.
55	,,	confirmed.

The Judicial Commissioner heard 133 appeals,—a considerably larger number than in 1873. 76 cases were remanded for re-trial ; 31 were reversed ; 4 modified ; and 22 confirmed. The number remanded for re-trial seems large, and might be held to indicate a want of care on the part of the officers before whom the cases were originally tried.

Execution of decrees.

13. The applications for execution of decrees were numerous, 43,240 fresh applications, giving in all 48,213 for disposal. Of these, 50 per cent were disposed of ; the decrees being completely or partially executed. The Chief Commissioner is surprised that more decrees are not fully executed, and he can only explain it to himself as owing to some defect in the Code of Civil Procedure, for it is unlikely that creditors are satisfied with merely taking out a decree against their creditors and yet should not care to execute it ; and again, it is unlikely that immediately on a decree passing against them the debtors would pay what they owed. If they did so, then the only proper way of doing so would be to pay it through the Court, which is not mentioned as a common practice anywhere. It is to be hoped that private arrangements without the intervention of the Courts are not made with their creditors, for it would, according to the existing law, be the duty of the Courts to ignore such arrangements, and the unfortunate debtors might find this out later to their cost. The matter might be worthy of attention.

14. In the preceding paragraphs Mr. Morris has touched on the more important points connected with the administration of Civil Justice ; and he desires only to add that the past year's work appears to have been efficiently and expeditiously performed, and that his best thanks are due to the Judicial Commissioner for his watchful supervision of the important department over which he presides.

I have the honor to be,

Sir,

Your most obedient Servant,

J. W. NEILL,

Offg. Secretary.

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PROVINCIAL STATEMENTS.

I.—Description value Statement.
II.—Value Statement.
III.—Trial Statement.
IV.—Execution Statement.
V.—Appeal Statement.
VI.—Process Statement.

No. 259.

FROM

THE REGISTRAR, JUDICIAL COMMISSIONER'S COURT,

Central Provinces.

To

THE SECRETARY TO THE CHIEF COMMISSIONER,

Central Provinces.

Dated Nagpur, 19th February 1875.

SIR,

I have the honor to submit the report on the administration of Civil Justice in these Provinces for the year 1874, with the prescribed Statements as per margin.

* *Imperial Statements.*	*Provincial Statements.*
B. 1. Tribunal Statement.	I.—Description Value Statement.
B. 6.—Number and description of Suits.	II.—Value Statement.
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2. The subject is presented as usual in the following order :—

A.—The Tribunals (Statement B. 1.)

B.—The extent and character of litigation (Statements B. 6, B. 7, I and II.)

C.—The general distribution and result of the trial of suits in Courts of original jurisdiction, (Statements B. 8 and III.)

D.—The Appellate business (Statements B. 9 and V.)

E.—Execution of Decrees, (Statements B. 10 and IV.)

A.—THE TRIBUNALS.

	1873.	1874.
† Court of the Judicial Commissioner	1	1
Courts of the Commissioner	4	4
Courts of the Deputy Commissioner	19	19
Courts of the Assistant Commissioner	29	32
Courts of the Tahsildar	50	50
Courts of the Naib Tahsildar	10	16
	113	122
Courts of Small Causes in Cantonments	4	4
Courts of Small Causes, Nagpur and Jubbulpore ..	2	2
Grand Total ..	119	128

3. The number of Civil Courts open at the close of 1873 and 1874 respectively, are compared in the margin.†

A point not shown in these figures is the investiture of one of the Judges of the Courts of the Assistant Commissioner, viz, Captain Macdougall at Nagpur, in the month of November 1874, under Section 16 of the Central Provinces' Courts' Act, with the powers of a Deputy Commissioner, in order to the entire release of the Deputy Commissioner of Nagpur from Civil Judicial business.

Naib Tahsildars' Courts.

4. It will be seen that there has been a considerable accession to the number of Naib Tahsildars' Courts.

The following is a list of the places at which the 16 existing Naib Tahsildars' Courts are held :—

Nagpur District	..	Katol	.. 1
		Ramtek	... 1
Wardha "	..	Wardha	.. 1
		Hinganghat	.. 1
		Arvi	.. 1
Jubbulpore "	..	Sihora	.. 1
Saugor "	..	Rehli	.. 1
Hoshangabad "	..	Harda	.. 1
Betul "	..	Multai	.. 1
Narsinghpur "	..	Chawarpatha	.. 1
		Gadarwara	.. 2
Chhindwara "	..	Chhindwara	.. 1
Nimar "	..	Khandwa	.. 1
Raipur "	..	Raipur	.. 1
Bilaspur "	..	Bilaspur	.. 1

Six other places are mentioned in the reports, as requiring Naib Tahsildars' Courts, in order to the further relief of Tahsildars in respect of Civil Judicial business, viz.,

Chanda District	..	Warora	.. 1
Damoh "	..	Damoh	.. 1
Seoni "	..	Seoni..	.. 1
Hoshangabad "	..	Sohagpur	.. 1
Betul "	..	Betul	.. 1
Chhindwara "	..	Saosar	.. 1

The Commissioner of the Narbada Division has treated the subject of the disposition of the Courts of his Division very fully as follows :—

[*Commissioner's para.* 2.] " The system of appointing petty Judges to decide petty suits has been so far extended during the year, that an additional Naib Tahsildar's Court was sanctioned for Gadarwara, and a Naib Tahsildar with Civil powers was appointed for Khandwa. There are now in the Division no less than seven Naib Tahsildars' Courts.

" At Gadarwara	2 such	Courts.
At Chawarpatha	1 "	"
At Harda	1 "	"
At Khandwa	1 "	"
At Multai	1 "	"
At Chhindwara	1 "	"

" There is one other place where the establishment of such a Court would, in my opinion, be right, pending other ulterior arrangements. I mean at Sohagpur. And I have obtained the Chief Commissioner's sanction to certain arrangements which have provided for the appointment of a Naib Tahsildar there, and am about to apply for powers for him. I take this opportunity to submit that the due provision of petty Civil Courts according to real need is a matter which always has my close attention, and that since my return from furlough in 1873, one Tahsildar's Court [at Hoshangabad], and five Naib Tahsildars' Courts have been added to our Civil Judicial strength, while only one petty Court [that of the late Tahsildar of Chawarpatha] has been abolished. It cannot be pretended that any local disposition of judiciary can be permanent. On the contrary, as local conditions shift, it must always be our business to appoint and distribute our Judges to suit changed circumstances. But the recent appointment of Naib Tahsildars with Judicial powers at Chhindwara, Khandwa, Harda and Gadarwara, the sub-

stitution of a Naib Tahsildar's for a Tahsildar's Court at Chawarpatha, and the appointment of a Tahsildar's Court at Hoshangabad, have all been changes* right at all events in direction; and it is hoped that before the end of the current year the following further alterations appropriate to existing conditions will have been effected :—

* All within the last two years.

1st. "The abolition of the Naib Tahsildar's Court at Chawarpatha;

2nd. "The substitution of a Judicial Tahsildar's Court for the 2nd Naib Tahsildar's Court at Gadarwara;

3rd. "The appointment of Naib Tahsildars with Civil Judicial powers at Betul and Saosar;

4th. "The investiture of the Naib Tahsildar of Sohagpur with Civil Judicial powers;—an arrangement however, not intended by me to last long, and which I trust will not last long. I want it to be succeeded by an arrrangement, making the two local Courts, an Assistant Commissioner's and a Tahsildar's Court, instead of a Tahsildar's and a Naib Tahsildar's Courts. * * * I must claim this for all the alterations introduced and to be proposed that the interests of good Civil Judicial administration have received and will receive in them, that share of benefit to which their great importance entitles them. And it is believed that the scale of Tahsildar's and Naib Tahsildar's Courts which I show in the margin, and which it is hoped will be in existence exactly as shown before many months have passed, is a really good establishment of small Civil Courts, well suited to the present needs of these five districts and likely to be so suited, with but little alteration, for some time to come. I ought perhaps to add that I did what I could during the year under report to get an exclusively Judicial 'Tahsildar' for Gadarwara, but having failed to find ways and means for his pay, I had to be content temporarily, with a Naib Tahsildar. But it is hoped that the impending abolition of the now nearly useless office of Naib Tahsildar at Chawarpatha will provide the means this year. After consultation with the Deputy Commissioner of Narsinghpur, I have quite made up my mind that there is no need of a Naib Tahsildar at Chawarpatha for administrative purposes; all that is needed locally is a good Police administration, for there has not been for years, and never was needed, any local revenue collecting establishment. And I am convinced that the Civil Judicial needs of the Gadarwara and Chawarpatha country will be far better met by having an exclusively Civil Judicial Tahsildar's Court with jurisdiction to try suits up to the value of 300 Rupees and a Naib Tahsildar's Court both at Gadarwara, than by having, as now, two Naib Tahsildars' Courts at Gadarwara, and one such Court at Chawarpatha. The fact is, that a place like Gadarwara really has a claim to a tribunal capable of deciding suits up to 300 Rupees in value. It is almost a hardship that there should not be such a Court. The present Tahsildar has powers, but in the present condition of things, the Deputy Commissioner is obliged to bring all suits above 100 Rupees in value into the Sadar, to avoid swamping the Tahsildar with overwork flowing in from executive, Magisterial and Civil Judicial work combined. Every thing will go smoothly and comfortably in all branches of business when Gadarwara has a special Judicial Tahsildar to itself, while the abolition of the Chawarpatha Court, which only decided suits all below 50 Rupees in value during the year under report, although *pro tanto* an apparent Judicial disadvantage, will be a good deal more than balanced to the district at large by the gain of Judicial strength at Gadarwara."

	Tahsildars' Courts.	Naib Tahsildars' Courts.
Narsinghpur	1	...
Gadarwara	c † 1	1
Sohagpur	* 1	...
Hoshangabad	1	...
Seoni	1	...
Harda	1	1
Khandwa	1	1
Burhanpur	1	.
Mortakka	1	...
Betul	1	‡1
Multai	1	1
Chhindwara	1	1
Saosar	1	‡1

Note.—All unmarked are already in existence.

‡ Have yet to be arranged for.

c † Being *exclusively* a Civil Judicial Court *in addition* to the present Tahsildar, who would then do no Civil Judicial work.

* Here a Naib Tahsildar's Court (about to be established) will not be abolished, unless an Assistant Commissioner's appointment is sanctioned for Sohagpur.

Court Houses.

5. During the year some progress has been made in the improvement of defective Court House accommodation, especially at Bilaspur, Balaghat and at Hoshangabad where the work on a somewhat extensive scale is still in progress. At Dhamtari and Mandla also Court Houses of the Tahsildars have been built At other places defects continue to exist, especially as the Chief Commissioner knows, at Jubbulpore, where the District Court House is quite inadequate. At Nagpur too, though much money has been spent in temporarily providing house room for the Courts, the accommodation is very ill-suited to requirements. The Deputy Commissioner's remarks on the subject are given below :—

[*Nagpur District Report, para.* 6.] " The Court House at Nagpur is not fitted for the purposes for which it is used, and I trust that the time is not far distant when a properly planned Court House may be erected In the present building it is not possible to give sufficient space for the various court rooms or to arrange the offices correctly, and the passages are blocked with boxes and presses for which there is no accommodation elsewhere. The slight boarding allows every sound in an upper room to be heard in the room below and *vice versa*, and the heat from the unshaded walls and iron roof renders it difficult to work in most of the rooms after noon in the summer.

" At Katol, a new Tahsili has been recently erected. but here the same defects of unshaded walls and iron roof exist, and the officials complain that the building is hardly habitable during the hot weather."

Court room furniture and fittings

6. In regard to Court furniture and fittings, the Judicial Commissioner can only repeat his remarks of last year.

" The internal arrangements of our best court rooms may be said to be fair; in some places the fittings are very good, in others they are not so good, deficient in style and in adaptation. The Judicial Commissioner when inspecting the Courts does his best towards the correction of defective adaptations, but for improvement of style, the Judges are probably dependent on the Department of Public Works."

When inspecting at Jubbulpore, the Judicial Commissioner was recently glad to learn that some money was about to be appropriated to the improvement of the internal arrangements of the District Courts, which at the present moment are of the shabbiest and most imperfect kind.

Law Libraries.

7. Little change has occurred in the state of the Law Libraries of the Courts. They are not very complete and in the nature of things defects in them are of a recurrent character, but it may be said that they are everywhere more or less completely organised, and it may be hoped that means of maintaining them reasonably complete will to a moderate amount be always forthcoming.

Forms

8. The Form department, the magnitude and importance of which had the Chief Commissioner's attention during the year, is now probably everywhere fairly well organised though some further detailed arrangements in concert with the Printing Establishments may perhaps be beneficially thought out and introduced in order to all possible economy and regularity of consumption and supply.

Destruction of Civil Records.

9. The bulk of the records in the Civil Court Record-rooms has been greatly reduced during the year under the operation of revised rules issued under the Chief Commissioner's sanction in this Office Circular XV. of 1874, for the destruction of Civil Records. These rules follow the principle of rules recently issued by the Chief Court of the Panjab.

The rules, which for the first time provide that under certain conditions the Records of a Civil Suit may be entirely destroyed, are given below :—

Original suits and cases.

I. "Records which do not appertain to "List A" on the "Record Lists" of original suits and cases (of all classes) *shall* be destroyed when one year old.

II. "Saving records of suits of the classes cited in the margin,* records not falling to be destroyed under Rule 1 shall—with exception to (*a*), records of attachment, delivery, and sale of immoveable property in execution of decree ; (*b*), any papers of apparent special value—be destroyed when 7 years old. Provided that in suits where the decree is of a kind susceptible of execution, the Record List, Judgment, Decree, (including decree—if any—by Appellate Court, and certified copy of decree received for execution from another Court), and records connected with, and bearing upon execution of decree, shall be destroyed when, but not before, the twofold condition is fulfilled, *viz.*, that the records are 7 years old, and a year has expired since all execution has become barred by the Law of Limitation.

* I. Suits for immoveable property.
II. Do. to declare and establish rights to real property including pre-emption, foreclosure, &c.
III. Do. to declare and establish personal rights.
IV. Do. relating to religious endowments.
V. Do. to set aside Judgments, Contracts or Obligations on the ground of fraud.
VI. Do. for dissolution of marriage.
VII. Do. for partition.
VIII. Do. relating to religion and caste.
IX. Do. appealed to the Privy Council.
X. Do. for whose institution a longer period of limitation than 6 years is prescribed.

III. "For the purposes of Rules I., II. the age of records shall be reckoned from the date of the decree or final order in the suit by the Court of Original Jurisdiction ; or (when there has been an appeal) from the date of the final decree or order of the Appellate Court, or (where there has been a review of judgment) from the date of the decision passed on the review.

Appeals.

IV. "Records of appeals *may* be destroyed when the time comes for destroying records under Rule II.

V. "Whenever records are destroyed under Rules I., II., IV., the circumstance should be noted in the Record-room Register thereof.

VI. "All Stamps and Judges' seals and signatures *shall* be reduced to pulp or burnt and due precautions should be taken in respect of other destroyed records, before disposing of them."

The process of sifting and destroying under these rules has been completed wholly in 4 Districts, 1 Cantonment, and 1 Small-Cause Court.

In the other Record-rooms the work is to be completed very shortly.

Record-rooms.

10. Judicial Records, both Civil and Criminal, being now, under the revised rules which have issued for their destruction of late years, permanently preserved to so comparatively small an extent, the point is worth remembering when new Record-rooms are being planned. At Hoshangabad a very fine Record-room has been built during the last year, but the records only fill a section of it, and they will not materially increase in bulk. At Nagpur, Record racks were put up in the Record-rooms during the year, but on a faulty design, necessitating alterations, which are now being executed. When designing works for special uses, the Department of Public Works seems not always to receive such exact information from District Officers as would enable the officer executing the work duly to adapt it to its intended purpose.

11. During the year the Courts were open on 250 days, as per margin. In praise of the December vacation, the Deputy Commissioner, Hoshangabad, has the following remarks :—

		Days.
Year	... ...	365
Deduct holidays.		
December Vacation	...	31
Sundays in 11 months	...	48
Civil Courts' casual holidays	...	36
Close days		115
Open days	...	250

[*Hoshangabad District Report, para.* 17.] "On the subject of the Civil Vacation, I have a few special words to say. I have particularly noticed that during this period

the people seem wonderfully devoid of grievances ; when the Civil Courts are open and the Katcheri thronged, petitions on all manner of trivial and vexatious subjects pour in by the dozens. In December one is almost free from these, and it is certain that the mere attendance at the Courts foments litigation of every kind, and that the month's vacation is, perhaps, to the full as beneficial for the people as for the District Authorities."

Ministerial Establishments

12. Some of the reports advert to deficiencies in the Ministerial Establishments of the Courts. Doubtless these establishments are now, in some places, on too low a scale The Judicial Commissioner has found on inspection of Courts that sometimes a full half of the ordinary business of the Court is performed by the aid of copyists, petition-writers, private assistants of ministerial officers, *quasi* apprentices, and the like, and in most Courts the appointed ministerial officers, avail themselves to a considerable extent of this kind of assistance. How far exactly this may be legitimate or necessary, and how far objectionable or unnecessary need not here be determined ; but wherever a case can be made out for additional establishment, it might be borne in mind that the cost has probably been already met by the additional income from stamps brought in by the additional business which has led to the necessity ; furthermore it has been ever necessary to bear in mind the great importance of imposing no labour on the Courts in the shape of registers, returns, and the like, which can possibly be avoided.

The Local Bar

13. The Local Bar consists of 3 Barristers at Law, 2 resident at Jubbulpore 1 at Nagpur ; 1 Attorney at Hoshangabad, and 49 Pleaders, whose local distribution is ordinarily as follows :—

Town	Number.
Nagpur	16
Bhandara	2
Wardha	4
Arvi	1
Jubbulpore	6
Saugor	5
Rehli	1
Damoh	2
Seoni	1
Hoshangabad	5
Narsinghpur	5
Burhanpur	1
Total	49

14. At the Annual Examination 25 Candidates for Pleader's certificate presented themselves for examination, but none were passed.

*Under Rule XII of the Rules for admission of Pleaders to the Courts of the Central Provinces

The Judicial Commissioner was obliged* to sanction the cancellation of the certificate held by one Pleader for misconduct.

Towards the close of the year proposals were made in order to the supplementing of the existing rules for the admission of Pleaders to the Courts of the Central Provinces, with three additional rules framed with the object of (1), opening the Courts more freely to persons qualified to plead ; (2), restricting the right of persons of doubtful qualifications to appear before the Annual Examination Committee ; and (3), enabling misconduct to be more appropriately dealt with.

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The more important notices on the subject of Pleaders in the Local Reports are extracted below :—

[*Nagpur Small Cause Court Report, para.* 18.] "There were fourteen Pleaders practising in the Courts during the year. The number of cases in which they were engaged is 1,183 against 1,492 of 1873. The Statements will show that they were engaged in only 498 Bond Suits, the number last year being 828. This is accounted for, as I have not cast the Pleaders' fees in cases of confession when the plaintiff or an agent has been present when no sufficient cause has been given for the entertainment of a Pleader. This has, I believe, given great dissatisfaction, but I do not think it would be just in such cases to decree Pleaders' fees against the defendants."

[*Wardha District Report, para.* 54.] "From my own observation, I am of opinion that the introduction of Pleaders into our Courts has undoubtedly tended to increase litigation. Rich men find it easy to go into Court when their personal attendance is not required, and poor men think that a Pleader can, in all probability, procure them a decree, or, if they are defendants, procure a judgment in their fovour against the claimant. But I must state that the Pleaders do their duty to their clients zealously, as far as I see them; they thoroughly show a warm interest in the success of their respective clients, and though, at times, they waste the time of the Court by attempting to urge and get heard irrelevant pleas and evidence, they are generally a material help to those on whose behalf they appear, and put the case for their client in a manner that few if any client could put it for themselves.

"Mr. * * * is very careful in seeing that the client he represents has a fair case, and I have known him throw up his case and his fees when his client had given instructions that were afterwards shown as trickery and not true, and leave his client to manage his own case."

[*Jubbulpore Division Report, para.* 20.] "Pleaders still appear in trivial and uncontested cases especially in the Districts of Saugor and Damoh as will be seen from the statistics given by the Deputy Commissioners of those Districts. But costs except (for some unexplained reason) in Jubbulpore have been more frequently disallowed this year than last, as will be seen from the figures quoted in the *margin; and it cannot be doubted that Pleaders are gradually becoming more cautious in taking up cases in which the necessity for a legal adviser does not appear."

*Number of suits in which costs were disallowed.

	1874	1873
Seoni	90	96
Mandla	106	28
Jubbulpore	28	58
Saugor .	303	155
Damoh .	225	177
Total ...	752	514

[*Saugor District Report, para.* 33.] "Pleaders I do not imagine have much to do with institutions. They may of course every now and then foment a quarrel which might otherwise never come before a Judge, but ordinarily speaking, clients seek them and not they the clients, at least such has been my experience both in Nagpur and Narsinghpur."

[*Damoh District Report, para.* 93.]

"The extent to which Pleaders were employed in the different kinds of suits in the several Courts will be seen from the Statement given in the margin,

	Uncontested.		Contested.	
	Total number of suits disposed of in 1874	Number of suits in which Pleaders were employed.	Total number of suits disposed of in 1874	Number of suits in which Pleaders were employed.
Court of Deputy Commissioner ...	2	1	8	6
Station Court ...	219	118	148	110
Tahsil Court, Damoh ...	725	256	241	126
Do. Hatta ..	352	..	96	...
Total ...	1,298	375	493	242

* * *

" The following figures will show the value of the suits in which they were employed :—

In Suits not exceeding.	Uncontested.	Contested.	Total.
Rs.			
5	0	3	3
20	105	60	165
100	198	110	308
500	71	63	134
1,000	1	3	4
5,000	0	3	3
	375	242	617

" The Judge of the Station Court writes as follows, with respect to the employment of Pleaders :—

" 'During the greater part of the year only two Pleaders have appeared in my Court, and I may say that on the whole I have had very little fault to find with them, and also that they have occasionally rendered me assistance. I believe they appeared in most suits, but in ordinary debt suits I very seldom allowed more than half the Pleader's fee at the most to the winning plaintiff.'

" I do not think favourably of the Pleaders. I found them of no assistance. In almost every case the parties to the case appeared with them, and the Pleaders had not made themselves ordinarily acquainted with the details of the questions at issue, but had to refer incessantly to their clients. I refused to decree their fees in one case out of nine in which they appeared.

" Looking at the above Statement it seems that after deducting cases of the Hatta Tahsildar in whose Court no Pleaders appeared, Pleaders were present in nearly half the whole number of suits; the majority of which were uncontested. I am not aware of their having actually fostered litigation during the year. They are no doubt often employed in uncontested cases by persons who wish to avoid attendance in person."

[*Hoshangabad District Report, para.* 16.] " I omitted last year to make any mention of Pleaders. There are now six of those gentlemen who habitually practise in the three Courts at the Sadar Kachari.

" Of these, two are, the first an Attorney, and the second a certificated Pleader, of the High Court, Calcutta. The other four are certificated in examinations held in these Provinces.

" Some of these Pleaders occasionally go to Harda, but their practice is almost entirely confined to the Sadar. By an examination of cases disposed of at the Sadar, I find Pleaders appeared in 252 cases or 9 per cent; of these 171 or 67 per cent were contested. The Courts however in some cases have not paid sufficient attention to Judicial Commissioner's Circular XXIV. of 1873, and have allowed costs in cases where the employment of Pleaders was quite unnecessary, and I have again called attention to the subject."

B.—Extent and Character (Value and Description) of Litigation.

The total litigation. (* Including re-institutions,) See Statement III.

15. The total number of suits instituted during 1874, (*Statement B. 6) was 76,639, as compared with 74,594, in 1873, being an increase of 2,045 suits.

The usual table comparing suits instituted (including suits re-instituted) during each year since the formation of the Central Provinces in 1862 is given in the following page :—

Statement showing the number of suits instituted and re-instituted in the Civil Courts of the Central Provinces from 1862 to 1874.

Year.	Nagpur. District.	Nagpur. City Small Cause Court.	Nagpur. Cantonment Small Cause Court, Kamthi.	Nagpur. Total.	Chanda.	Bhandara.	Wardha.	Balaghat.	Jubbulpore. District.	Jubbulpore. City Small Cause Court.	Jubbulpore. Cantonment Small Cause Court.	Jubbulpore. Total	Saugor. District	Saugor. Cantonment Small Cause Court.	Saugor. Total.	Seoni	Damoh.	Mandla.	Hoshangabad.	Betul.	Nimar. District.	Nimar. Cantonment Small Cause Court Asirgarh	Nimar. Total.	Narsinghpur.	Chhindwara.	Raipur.	Bilaspur.	Sambalpur.	Upper Godavari.	Grand Total.
1862 ..	3,349	1,622	1,612	6,583	667	1,750	658		1,619	315	504	2,438	2,313	601	2,914	806	760	369	2,016	1,058	...			2,121	705	1,326	163	345	7	24,666
1863 ..	3,020	1,436	2,338	6,794	697	1,634	592	..	1,385	1,321	686	3,392	2,380	572	2,952	973	729	201	2,202	1,142		.	...	2,691	1,038	820	222	201	35	26,305
1864	2,647	1,692	1,706	6,045	716	1,692	490	...	1,230	1,683	612	3,525	2,109	1,161	3,270	1,280	859	354	3,183	1,228	4,398	.	4,398	2,542	870	1,221	707	275	42	32,697
1865	2,974	1,288	806	5,068	649	2,076	927		1,734	1,739	455	3,928	2,741	709	3,450	1,343	1,377	563	5,887	1,156	3,854	..	3,854	3,558	1,303	1,573	1,781	695	66	39,254
1866..	3,286	2,320	1,017	6,623	1,021	2,420	1,216	-	1,406	1,656	481	3,522	2,988	720	3,708	1,185	1,289	421	5,279	1,194	7,561	...	7,561	3,416	1,345	1,379	2,896	594	163	45,250
1867 .	3,390	3,289	1,323	8 002	1,219	2,934	1,803	303	1,685	1,662	296	3,643	2,724	389	3,113	1,263	1,709	380	5,427	1,079	5,541	27	5,568	3,272	1,990	1,406	3,762	592	89	48,544
1868..	4,566	4,060	2,083	10,709	1,636	2,798	3,057	810	1,699	2,052	541	4,292	3,612	559	4,171	1,391	1,631	401	5 491	2,732	6,508	244	6,752	4,125	2,770	1,659	2.466	538	125	58,558
1869	5,529	4,415	3,454	13,398	2,006	2,814	3,724	925	1,441	1,984	514	3,939	4,052	835	4,887	1,387	1,760	528	5,068	2,354	7,854	293	8 117	4,535	3,310	1,982	1,298	886	159	63,137
1870..	5,648	4,880	3,407	13,935	2,587	3,596	4,277	727	1,725	2,435	445	4,605	4,003	692	4,695	2,185	1,693	656	6,750	2,702	7,689	165	7,854	5,657	4,027	3,123	1,806	959	289	72,183
1871...	6,761	5,300	2,594	14,661	2,937	3,507	6,169	1,236	2,278	2,499	463	5.210	3,132	699	3,831	2.619	1,783	560	6,695	3.207	8,551	118	8,669	6,385	3,616	3,194	2,381	1,112	286	78,088
1872..	6,060	5,061	2,779	13,900	2,072	3,122	5,485	989	2,313	2,400	511	5,224	2,652	672	3,324	1,904	1,313	679	7,219	3,249	9,572	174	9,746	5,593	3,537	2,644	2 561	1,087	277	73,955
1873 ..	6,315	5,709	2,428	14,452	2,161	2,663	6,051	1,191	1,985	2,254	437	4,676	2,979	432	3,411	1,692	2,066	661	7,918	3 278	7,808	147	7,955	6,369	3,633	2,657	2,081	1,427	252	74,594
1874	6,904	6,104	2,837	15,845	2,039	2,707	6,839	1,319	2,106	2,493	445	5,044	3,328	302	3,630	1.450	1,744	690	7,522	2,983	7,480	90	7,570	6,265	3,729	3,662	2,085	1,337	179	76,639
Grades and number of Courts at the close of 1874. — Courts of the Deputy Commissoner	1	1	1	1	1				1			1			1	1	1	1	1	1			1	1	1	1	1	1	1	19
Courts of the Assistant Commissioner	3	2	1	3	2				1			1			1	1	1	1	3	1			2	3	1	2	2	2	...	32
Courts of the Tahsildar	4	3	3	2	2				3			3			4	2	2	2	4	2			3	2	2	4	3	2	1	50
Courts of the Naib Tahsildar ...	2	.	..	3	...				1			1			1	..		..	1	1			1	3	1	1	1	.	...	16
Small Cause Courts and Registrars' Courts ..	4	..	...	..	..				2			1			1		.		...				1	...	...	.	.	...	...	8
Total ...	14	6	5	9	5				8			8			8	4	4	4	9	5			8	9	5	8	7	5	2	125

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I.—Increase and Decrease of litigation.

Increase in institutions.

16. Institutions increased by 2·7 per cent as compared with institutions during the previous year, but they were still a little below that which is the maximum figure for any year since the formation of the Provinces and which was obtained in 1871.

Excepting in the districts of Nagpur, Wardha and Raipur, the fluctuations treated by districts were not great during the year, but in Raipur there is an increase of 27·4 per cent, in Wardha of 11·5 per cent, and in Nagpur of 8·5 per cent.

The following table shows the fluctuations of business during the last three years in the Courts at each locality where they are established :—

Locality of Courts.		Number of suits instituted.		
		1872.	1873.	1874.
Nagpur ...	Nagpur	1,742	1,900	2,267
	Court of Small Causes, Nagpur ..	5,061	5,709	6,104
	Total ...	6,803	7,609	8,371
	Kamthi	2,779	2,428	2,837
	Katol	1,983	2,141	2,153
	Ramtek	1,399	1,559	1,425
	Umrer	936	715	1,059
Chanda ...	Chanda	636	736	596
	Warora	554	694	716
	Mul	361	430	278
	Brahmapuri	521	301	449
Bhandara ...	Bhandara	1,335	1,304	1,327
	Tirora	1,317	893	794
	Sakoli	470	466	586
Wardha ...	Wardha	3,383	2,755	3,447
	Arvi	2,102	2,132	1,984
	Hinganghat	...	1,164	1,408
Balaghat ...	Burha	887	1,083	1,135
	Behir	102	108	184
Godavari ...	Sironcha	238	135	162
	Dumagudium	39	117	17
Jubbulpore	Jubbulpore	896	858	824
	Court of Small Causes, City Jubbulpore ...	2,400	2,254	2,493
	Do. Cantt. do. ...	511	437	445
	Total ...	3,807	3,549	3,762
	Murwara	356	273	357
	Sihora	1,061	854	925

Locality of Courts.		Number of suits instituted.		
		1872.	1873.	1874.
Saugor ...	Saugor	1,322	1,486	1,559
	Court of Small Causes, Saugor Cantt. ...	672	432	302
	Kurai	405	492	619
	Rehli	761	748	815
	Banda	164	253	335
Damoh ...	Damoh	899	1,577	1,298
	Hatta	444	489	446
Seoni ...	Seoni	1,014	1,186	1,112
	Katangi	544	164	...
	Laknadon	346	342	338
Mandla ...	Mandla	559	618	631
	Ramgarh	120	43	59
Hoshangabad.	Hoshangabad	3,309	3,468	2,964
	Seoni	859	725	805
	Harda	1,742	1,593	2,278
	Sohagpur	1,309	2,132	1,475
Betul ..	Betul	1,385	1,733	1,732
	Multai	1,864	1,545	1,251
Narsinghpur ..	Narsinghpur	2,614	2,725	2,833
	Chawarpatha	504	504	566
	Gadarwara	2,475	3,140	2,866
Nimar ...	Khandwa	7,941	6,283	6,194
	Burhanpur	979	771	639
	Mortakka	652	754	647
	Court of Small Causes, Cantonment Assirgarh	174	147	90
Chhindwara ...	Chhindwara	2,331	2,595	2,273
	Saosar	1,206	1,038	1,456
Raipur ..	Raipur	1,538	1,556	2,132
	Drug	374	286	362
	Dhamtari	365	399	525
	Simga	367	416	643
Sambalpur ...	Sambalpur	783	1,115	795
	Bargarh	304	312	542
Bilaspur ...	Bilaspur	1,261	1,244	1,354
	Mungeli	842	513	502
	Seorinarain	458	324	229
	Total ...	73,955	74,594	76,639

Fluctuations in the Nagpur District

17. A further detail of the fluctuations at Nagpur is given below :—

	1873.					1874.				
	1st Quarter.	2nd Quarter	3rd Quarter.	4th Quarter	Total.	1st Quarter.	2nd Quarter.	3rd Quarter.	4th Quarter.	Total.
Ordinary District Courts ...	433	583	558	326	1,900	705	588	631	341	* 2,265
Court of Small Causes, Nagpur ...	1,384	1,592	1,901	832	5,709	1,824	1,653	1,921	706	6,104
Total ...	1,817	2,175	2,459	1,158	7,609	2,529	2,241	2,552	1,047	8,369

It will be seen that during the first quarter there was a large increase of institutions; the Judge of the Small Cause Court has not explained the matter, but the Deputy Commissioner of Nagpur accounts for it, so far as it concerns the ordinary Courts at Nagpur, by the circumstance that institutions during the first quarter of 1873 were specially low, and by the fact that the month preceding the first quarter of 1874 was the first December vacation. Also with exception to the decrease shown against the Court of Small Causes for the 4th quarter of 1874 there were at Nagpur in the 2nd, 3rd and 4th quarters of the year both in the ordinary Courts and in the Court of Small Causes an increase of institutions as compared with the corresponding quarters of 1873. In the Courts at Katol there was an increase during both the 1st and the 4th quarters, and at Umrer also there was an increase during every quarter, and at Ramtek alone did business in the year decrease and even there it remained somewhat above its figure in 1872.

Fluctuations in other Districts.

18. On the fluctuations in other districts, Deputy Commissioners have the following remarks :—

[*Chanda District Report, paras.* 17, 19, 21.] "2,023 suits claiming an aggregate value of Rs. 98,147-13-5 were instituted during the year, compared with 2,149 suits value Rs. 90,659-2-1 in 1873. The decrease is small, about 6 per cent only. It may be attributed partly to the greater activity shown by some Courts in awarding costs against winning plaintiffs, and decreeing payment by instalments, and partly to the good harvest of the previous year, which enabled the agricultural classes to pay off their debts at the appointed time.

"The decrease in the Station Court is attibutable to the Chimur Pargana having been transferred to the jurisdiction of the Warora Tahsildar, but I have not been able to obtain any satisfactory explanation of the decrease in the Civil business of the Mul Tahsil and the increase in the Brahmapuri Tahsil.

"The average of the totals of the past four years show that the smallest number of suits are brought from September to December, and that from January the numbers rapidly increase till the highest figures are reached in June and July. Whatever may be the causes of these fluctuations it might be assumed that fewer suits would be brought in June and July than in most of the other months. The fact that it is not so, seems to corroborate the assertion that creditors seek to bring debtors to terms by filing suits against them in the sowing season."

* Excluding 2 cases instituted in the Court of the Commissioner.

On this latter point a full report was made to the Chief Commissioner during the course of the year.

[*Jubbulpore District Report, paras.* 12—14.] "There were altogether 2,106 suits of all descriptions instituted during 1874, including re-institutions. This gives an increase during the current year of 121 suits or 5·7 per cent: of these, however, 74 were re-institutions. Thus excluding re-institutions the litigation of the year under report gives an increase of 118 suits of all descriptions in comparison with the figures in 1873.

"The table below gives the course of litigation from month to month :—

Months.	Year 1873.	Year 1874.	Increase.	Decrease.
January	195	248	53	...
February	176	201	25	..
March.	151	195	44	...
April..	133	185	52	...
May....	211	205	...	6
June	235	237	2	...
July	290	292	2	...
August...	177	166	...	11
September	139	165	26	...
October.	132	112	...	20
November.	146	100	...	46
Total...	1,985	2,106		
Deduct re-institutions...	71	74		
Actual number of suits instituted	1,914	2,032		

"From the above it will be seen that in the first four months of the year, the increase is marked; afterwards, with the exception of November, in which month an increase might fairly have been expected owing to the closing of the courts in December the fluctuations are only such as might ordinarily be expected. In previous years the prospect of closing the courts has been discovered as a reason for increase in institutions in the month of November, it is somawhat difficult therefore now to account for the exactly opposite result. The curious feature of this increase is that almost the whole occurred in cases referring to immoveable property, which have risen from 199 in 1873 to 308 in the current year. In the absence of any classification of the people affected by these suits, the following remarks regarding the prospects of the agricultural classes may not be out of place.

"The year has been one of exceptionally good harvest, at the same time of, during the latter part at any rate, very low prices. In fact in November the prices of cereals have been lower than they have been known to be for years.

"For this latter reason it might have been thought that the agricultural classes would have been in difficulties owing to their crops realizing such low prices; but it is possible that this disadvantage has been counterbalanced by the quantity reaped. I believe, however, that in point of fact, so far this season the agricultural classes

have not been much affected by the action of the courts. The money lending class looks upon the heavy crop now stored as so much property in the hands of his debtor available, upon which he can take out execution at any time, and has refrained hitherto from pressing his claim. His reason for not attaching now is said to be the expense of removal which would be heavy in the absence of cart roads, whereas if he delays another few months, carts can travel, the creditor can then attach the grain and have it sold at the debtor's village, buy it in for a song, and cart it to the nearest Railway station, with a certainty of much profit to himself.

"I only offer this as a suggestion, but I have been led to record it as it is the opinion of many of the cultivating classes themselves. A rise in prices is not immediately expected, as the prospects of the rabi crop are so far very favourable and there is little or no demand at present from foreign markets. There is besides a large stock of grain in the local market, brought out of their stores by grain dealers in anticipation of its being required in Bengal. This not having been the case the market is overstocked.

"It has been suggested that the absence of Tahsildars on tour may have affected the number of institutions in November, but I am not inclined to accept that, as at the Sadar this reason would have acted as a cause of increased institutions in the court of the Assistant Commissioner 1st Class, for in the absence of the Tahsildar the suits would have been presented to the Assistant Commissioner's Court in order that the date of presentation should be noted. From enquiry I learn that there has been no marked increase in this description of business in the Assistant Commissioner's Court.

"When compared with the figures given in paragraph 11 of last year's report, this rise in litigation seems to show that the downward tendency then spoken of has not continued as long as might have been wished, for the number of institutions in 1874, though considerably less than those of 1871 and 1872, are far in excess of those of 1870, *i. e.*, 1,725.

"I am unable to say whether a cause for this rise exists in a more lax procedure on the part of the courts, for I have had no opportunity of personally observing their action on this subject, but I am informed that my predecessors kept up an active supervision over the subordinate courts. In the absence of any really tangible argument to the contrary, were it not that almost the whole increase is in suits affecting immoveable property, the rise might almost be set down to ordinary fluctuation. There is little doubt but that the debt of 1869 still lies heavy on the land.

"Possibly the change in the *locale* of the trial of suits affecting immoveable property under the instructions conveyed in Circular XIV may be the cause of a part of the rise in litigation, but it cannot have affected the totals much; as far the larger number of these suits, 222 out of 308, were tried in the Tahsildar's Courts before the issue of orders to the contrary.

"This increase too is not confined to any one class of court, but is general; in the Deputy Commissioner's Court there were six compared with two in 1873.

"The detail of value shows too that the increase in this class of suit is not confined to any one value, vide the following table:—

		1873.	1874.
Not exceeding Rupees	5	42	66
" "	20	65	85
" "	100	56	87
" "	500	24	44
Total "		187	282

"It cannot therefore be said that the rise is attributable to the popularity of any one special court, or to preference shown to the superior court of the Assistant Commissioners 1st Class in lieu of that of the Tahsildars.

"Under the circumstances I must admit my inability to account for this peculiar fluctuation; if it should be cleared up hereafter by the light of future events and further enquiry I will submit a further report, for it seems to me to be deserving of closer enquiry than I can at present give it."

[*Saugor District Report, paras.* 29—32.] The number of suits instituted during the past year have again risen from 2,979 to 3,328 or 11·7 per cent. This increase is not confined to any locality but is common to the courts both at the Sadar and in the Mofussil,

" The increase at the Sadar amounts to (from 1,456 to 1,559) 4·9 per cent, at the subdivisional Head Quarters excluding Saugor, to (from 1,493 to 1,769) 18·4 per cent; but, as might be expected, the percentage of increased institutions vary greatly. Thus Banda heads the list with 32·4 per cent, followed by Kurai with 25·8 per cent, while at Rehli the increase before the Tahsildar is 14·2 per cent, and before the Naib only 6·8 per cent,

" I am altogether unable to give any reason for these fluctuations, or for the more difficult point, the increase of institutions for two consecutive years. Every imaginable cause has been assigned, the dearness as well as the cheapness of food, a bad harvest as well as a good one. All I can put forward is the fact that the season of 1873-74 was a very good one agriculturally, and that the rain crops have been abundant during the present year, and there is the prospect of equal good fortune attending the winter sowings. Possibly money lenders who were unable to collect debts contracted in 1868-69 owing to scanty harvests in subsequent years now felt there was a chance of realizing their money secured on bonds and hastened into Court at the first favourable opportunity. This view is strengthened by the fact that it is in the northern portion of the district where the scarcity of 1868-69 was most felt that the increase is most palpable. Kurai showed an enhanced percentage in 1873 of 21·4 and in 1874 of 25·8; while at Banda as soon as a Tahsildar with the usual jurisdiction as regards amount is appointed the figures show an increase of 35·6 per cent.

" Rehli again shows a comparatively slight tendency to increase, even after allowing for the transfer of cases in 1873 to the Sadar for disposal; and here it is notorious that the pressure was less severe."

[*Damoh District Report, para* 17, 22.] " A considerable decrease is shown as compared with 1873. It is due chiefly to the good season. It still stands much higher than in many of the former years, and I see no prospect of its falling back to anything like the lowest numbers shown,

" In the Hatta Court the decrease of litigation is not very large, and seems to be due to the following causes:—

" First, to the general cause connected with good season. Secondly, to the operation of the Judicial Commissioner's Circular No. 14 of 1874, which threw the suits for immoveable property, and the other description of suits specified in the Circular, into the Station Court; and thirdly, to the Tahsildar's Court being closed from 22nd October to 20th November 1874.

[*Seoni District Report, paras.* 9—12.] " The total number of suits instituted (including re-instituted) during 1874 was 1,450 as compared with 1,528 in 1873, being a decrease of 78 suits or about 5 per cent.

" At Lakhnadon the number of suits is almost exactly the same as in the preceding year, *viz.*, in 1873, 342 suits, in 1874, 338 suits.

" The decrease is therefore confined to the courts at Head Quarters; and as a re-distribution of business among these courts has taken place during the year, the litigation at the Sadar must be considered as a whole. This litigation in the last two years compares as follows:—

" In 1873 ... ... 1,186 suits,
In 1874 ... ... 1,112 suits,

showing a decrease of 74 suits or about 6¼ per cent. This decrease is not large, and is probably due to a re-action from last year, when there was a considerable increase; the re-action being helped on by the large number of decrees for payment by instalments given in the Tahsildar's Court: and the opinion that these decrees for payment by instalments have had something to do with the decrease is confirmed by the fact that the most marked decrease has taken place in suits for money due on written and unwritten obligation, and especially in the latter.

"The subjoined table shows the fluctuations in litigation by periods as well as by localities. The minor fluctuations may be accounted for by the absence of the Assistant Commissioner or Tahsildar from their Head Quarters during different months in the two years. The most marked increase at Seoni is in the months of March and April, but it is followed by an almost equal decrease of institutions in May and June. Similarly at Lakhnadon a large increase in June and July was followed by a corresponding decrease in August and September. I am unable to assign any satisfactory reason for these fluctuations.

Table showing the institutions during each month of the year 1873-74

Months	Courts at Head Quarters.		Courts at Tahsil Lakhnadon.		Total.		Increase in number.	Decrease in number.	Remarks
	1873	1874	1873	1874	1873	1874			
	Total.	Total.	Total.	Total.	Total.	Total			
January	81	96	44	23	125	119	...	6	
February.. ...	68	45	43	22	111	67	...	44	
March	75	138	42	30	117	168	51	...	
April...	81	107	30	30	111	137	26	...	
May.....	129	92	17	39	146	131	...	15	
June	175	130	24	61	199	191	...	8	
July.....	168	164	35	58	203	222	19	...	
August	131	111	43	33	174	144	...	30	
September ...	102	102	51	10	153	112	...	41	
October	99	80	5	7	104	87	.	17	
November ...	77	47	8	25	85	72	...	13	
Total...	1,186	1,112	342	338	1,528	1,450	96	174	

"The decrease of institutions in June at Seoni itself is a matter for congratulation for the reasons referred to in para. 9 of last year's report. June and July continue however to have pre-eminence in the matter of institutions, though special care was taken to give as long postponements as possible to agriculturist debtors so as to prevent their being dragged away, from their fields at the busiest time of the year. It may also be noted that the increase of suits at Lakhnadon in these two months was accompanied by an actual decrease in the number of suits instituted against agriculturists."

[*Hoshangabad District Report, paras.* 25—29.] "I will first remark on the extent of litigation. 7,292 cases newly instituted to 7,560 in the year 1873, or a decrease of 270, a very small percentage in itself, calling for no remark.

Year.	No. of Institutions.
1862 ..	... 2,016
1863 ...	... 2,202
1864 ...	... 3,183
1865 ...	... 5,887
1866 ...	... 5,279
1867 ...	... 5,407
1868 .	... 5,494
1869 ...	... 5,068
1870 ...	... 6,750
1871 ...	... 6,695
1872 ...	... 7,219
1873 ...	... 7,560
1874 ...	... 7,290

Up to 1872 inclusive these figures include re-institutions, which for 1873 and 1874 have been eliminated.

"But the figures in the margin giving institutions from 1862 will show that in 1873, with bad harvests in 1872 we had probably arrived at the outside extent of what should be our litigation.

"The following Statement shows where the increase and decrease occurred:—

Courts.	No. of cases 1873.	Instituted in 1874.	Decrease.	Increase.	Net decrease.	REMARKS.
Above Rs. 5,000 ...	14	11	3	...	...	*a.* This shows 112 less than the Statement, 92 being transferred from Sohagpur and 20 from Seoni.
Below this in all Courts at the Sadar ...	2,037	*a.* 2,178	...	141	...	
Harda Courts ...	2,791	2,661	130	...	...	
Sohagpur including Pachmarhi ...	2,016	*b.* 1,634	382	...	...	*b.* Shows 92 more than the Statement.
Seoni ...	702	*c.* 806	...	104	...	*c.* Do. 20 do.
Total ...	7,560	7,290	515	245	270	

"I scarcely feel called upon to account for some of these fluctuations. I might naturally argue that an increase anywhere in the first quarter would be at once accounted for or expected, consequent on the December vacation. How then account for the result which shows a considerable decrease at the Sadar, an enormous increase at Harda, a large decrease at Sohagpur, and an increase at Seoni.

"Taking the other quarters, I find myself in similar though worse difficulties.

"It is only in Seoni that there is an increase in every quarter but the last, and this may be partly due to the fact that in 1873 this court was for some time without a presiding officer.

"The decrease at Harda for the last quarter may be due to the same cause, and very probably was, though in neither case would the whole increase or decrease be accounted for. But the decrease at Sohagpur does merit special notice, and taken as a whole can I think be fairly accounted for.

"The institutions for Sohagpur since 1869 are shown in the margin, and the exceptionally high number in 1873 was explained in my report for that year as undoubtedly due to the bad season of 1872, and I have no hesitation in saying that the present decrease was to be expected and is a source of congratulation.

Year.	No. of Institutions.
1869	674
1870	890
1871	1,312
1872	1,309
1873	2,016
1874	1,634

"It has been suggested that as since June all cases above Rs. 100 of Sohagpur Tahsil have been taken up by Captain Morris, who holds his Court at Pachmarhi, this may have been one cause of decrease, but I can only admit this so far as to say that if people can recover their dues without filing a suit, they would do so rather than go up to Pachmarhi, and that on the other hand some suits of a purely vexatious nature may have been avoided.

"But that the real cause of decrease has been a better season, is supported by many facts within my knowledge, showing that the people have been better able to meet claims against them, and is further borne out by the sale of non-judicial Stamps in this Tahsili having increased in 1874. The figures for eleven months of both years are given in the margin* and the Tahsildar's verbal statements made a short time back, that the money market being easier many bonds have been renewed instead of suits filed, is to my thinking correct.

*January to November	1873	1874.
	4,900.	5,574

"There have also not been wanting causes for a decrease of litigation generally, and despite the increases I show in some courts, I trust there is a general tendency to a decrease. Foremost among these causes is that instalments are much more fre-

quently awarded than they used to be, and when creditors can induce the renewal of bonds, which unfortunately is in the majority of cases too easy, and at the same time obtain some present satisfaction of the debt, they avoid up to the last moment having recourse to the courts in cases where they feel that the decree will probably award instalments and low future interest."

Another cause for general decrease is greater care in awarding costs, and it is comparatively rare now for creditors to file suits without giving notice.

[*Narsinghpur District Report, paras.* 14, 16, 17.] "I find there has been a small decrease in the number of Civil suits disposed of during the year. The decrease is 243, the number disposed of is 6,354 against 6,597 in the year preceding. The decrease is greatest in the Gadarwara Courts, which had 2,997 suits against 3,201 in 1873. Narsinghpur had 2,792 against 2,900 in 1873. In Chawarpatha there was an increase of 69 suits compared with the previous year.

" I have taken some pains during the year in regard to impressing upon courts the necessity of resorting much more frequently to decreeing payments by instalments in every case where good cause is shown for so doing.

" In the previous year, only in 76 cases was payment ordered by instalments. This year I find that in 469 cases payments were ordered to be made by instalments. I have satisfied myself that the courts acted strictly according to orders in regard to ordering payment by instalments and that either the debts were of old standing and plaintiffs delayed suing to increase the interest, or the defendant was found to be in straitened circumstances when such orders were passed. The measure was very unpopular at first and I heard a great deal about it, but latterly people have commenced to get accustomed to it."

[*Betul District Report, para.* 8.] " The decrease amounting to 295 original suits, have taken place in the Courts of (1) the Naib-Tahsildar of Multai, (2) the Tahsildar of Multai, and (3) of the Assistants or Station Court ; in the first of these courts there is reason for this falling off, as the presiding officer was absent on leave for six months, and his court in consequence was closed. The falling off to be accounted for amounts as before stated to 295 suits, and of this number a deficiency of 194 suits should, according to last year's average, have been instituted in the Naib-Tahsildar's court Again in the Multai Tahsildar's Court, there were 100 suits less filed in 1874 than in 1873. Of this number no less than 55 suits were debarred from his court by the action of Circular XIV., dated 22nd April 1874, which, however, did not come into operation in the district until July 1874. This will leave only 45 cases to be accounted for, or less than four suits per mensem, and this seems too small a number to need any special remark, but at the same time it should be observed that the deficiency will most probably have arisen, owing to the Atner Pargana cases having been disposed of by the Multai Tahsili Court from January to May of the same year, whilst in the year under report, the Atner cases were disposed of in the Betul station and Tahsili Courts, to which jurisdiction they appertain."

[*Nimar District Report, paras.* 24, 25, 26.] " The result of 1874 is that the institutions have not only been very much less than in 1873 (16 5 decrease per cent), but have been less than in 1872. Again if we except the first quarter, the decrease in each of the other three has been steady, though very gradual in Khandwa and Burhanpur. The reason why the first quarter showed a higher number of institutions not only than in the previous quarter, but than in the corresponding quarter of the previous year was undoubtedly because in the months of January and February a greater number were filed in consequence of the holiday which fell in December of 1873, instead of as in May in 1872. But if we compare the institution of suits for the quarter after the holiday of 1873, as compared with the three months after May 1872, we find that the former are considerably less :—

" Institutions in quarter—

June to August 1872.	January to March 1874.	Decrease in 1874.
3,379	2,660	719

"Of course there will always be particular periods of each year, when the amount of litigation is greater than at others, whilst the difference in quarters immediately corresponding may be accounted for in a hundred different ways. But taking a lengthened period of one year, it is satisfactory to find that there has been no increase in any one locality, even though the aggregate decrease has been small.

"I have left Mortakka out of the comparison by quarter, because there were disturbing elements there, which did not obtain in the other two. Twice during the year this Tahsil was left without a Tahsildar having Civil powers, and therefore during such suspension of the local Civil Court, the institutions were small, whilst immediately after a re-action set in."

[*Chhindwara District Report, para.* 9.] "From the figures noted on the margin,* it will be seen that there has been a slight increase of 85 original suits, or 2·3 compared with 1873,—a result attributable to the apathy evinced by debtors who, now as a rule, keep back from paying in the expectation of arrears of interest being disallowed by the courts, and instalments commensurate with their means being fixed by them. This idea is a fixed one, but of course our Courts only decree payment by instalments when there is a real necessity for it."

* 1874.....3,655
1873.....3,570
———
85

[*Raipur District Report, paras.* 13, 14, 15.] "The increase was not confined to one particular court, but was general throughout the district, and occurred almost generally during the ten, out of the eleven months of the year. It was largest at Raipur, Dhamtari and Drug in the 3rd quarter, and at Simga in the 1st quarter.

"It was larger at Raipur and Simga in the 2nd, and at Drug and Dhamtari in the 1st quarter. It was large at Raipur in the 1st, at Drug and Dhamtari in the 2nd, and at Simga in the 4th quarter.

"The proportion of the increase in each court is as follows :—

Courts at Raipur	576 or 57·3	per cent.
Courts at Simga	227 or 22·7	"
Courts at Dhamtari	126 or 12·6	"
Courts at Drug	76 or 7·4	"
Total	1,005 or 100	per cent.

"There was also a decrease of 32 suits at Simga in the 3rd quarter, and of 7 suits at Drug in the remaining two months of the year.

"The increase in the litigation is attributed to the bad harvests of 1873 followed by the excellent kharif or dhan crop of the year under report all over the district.

"The same occurred in 1870, when a similar increase* took place over the institutions of 1869, when the district was affected with drought and scarcity, and debts which could not be pressed in that year were enforced during the year 1870.

* From 1,948 to 3,053 or of 1,105 suits.

"A part of the increase at the Sadar may be attributed to the employment of the Naib-Tahsildar as Civil Judge."

"The decrease is trifling and calls for no remarks.

But the Commissioner, Chhattisgarh Division, remarks, para. 20 :—

"The increase in the Raipur Tahsil is much too large to be ascribed fully to this single cause, and I am inclined to think that the opening of the Naib-Tahsildar's Court at the Sadar during the year reported on, might be reckoned as one of the many causes which affect civil litigation, and which it is not always easy to trace out. The precedent quoted by the Deputy Commissioner in support of his explanation would seem to lose much of its value, when it is considered that the very partial failure of crops in 1873, a failure which proved to have been nothing in its effect on the people, can hardly be compared to the great agricultural distress of 1869, which is said to have brought about an increase of 1,105 suits in 1870.

[*Bilaspur District Report, paras.* 8, 9.] "There can, I think, be no doubt that in a district like this these fluctuations are due chiefly to the goodness or badness of the harvest, and the general result of a bad harvest is to reduce litigation. From the year this district was separated from Raipur and formed into a separate district, the number of suits steadily increased till 1869, when there was a famine, and the number at once fell from 3,466 to 1,298; after which year there was again a tendency to steady increase till 1873 when the crops failed in Mungeli and were below the average in Bilaspur Tahsil. There was, however, a good out-turn in Seorinarain. The anticipation of a bad harvest in 1868 caused a decrease of about 300 suits in that year, and the failure caused a great fall in 1869, so likewise the anticipation of a bad harvest in 1873 caused a falling off in the last half of that year, which falling off continued in this year in two out of the three Tahsilis. In the margin, I give the figures for each half year in each Tahsili for the last four years. The question now arises why should there be a falling off this year in two, and a considerable increase in one circle. The only way I can account for it, is that in Mungeli the decrease this year is owing to the total failure, which has left the debtors no option, but to appeal to their creditors for forbearance and also for further advances, and that the creditors have recognised the futility of suing those who had no means of payment. In Seorinarain the cultivators in 1873-74 were doubly lucky, not only did they gather in a good harvest, but they found a good market and unusually near in Mungeli, and they are known to have availed themselves of the opportunity. This in all probability enabled them to meet their creditors with money in their hands and to settle affairs out of court. In Bilaspur as shown by the figures given, there was a great falling off in the latter half of 1873, when the prospect of a failure was in view; the result, however, was a crop somewhat below the average for which, however, cultivators were about compensated by enhanced prices owing to the failure in Mungeli. This caused a re-action, and more suits were filed in the first half of this year, than in the first half of any of the preceding four years. In the last half of the year, matters settled down and the number of suits is almost exactly the same as in 1872 for the same period."

Tahsili.		1871.	1872.	1873.	1874.
Bilaspur ..	1st half ..	456	580	577	672
	2nd half ..	604	651	465	682
Mungeli ..	1st half ..	472	363	305	285
	2nd half ..	427	479	350	217
Seorinarain ..	1st half ..	290	201	231	160
	2nd half ..	202	257	93	69

The Deputy Commissioner of Sambalpur's remarks come last, but are of special interest:—

[*Sambalpur District Report, paras.* 6—13.] "In my last year's report, I noted that one of the chief reasons why there had been so great an increase in litigation during the year 1873, was, because there had been a decrease in the previous year, which was abnormal and due to merely temporary causes. I further estimated that the extent of the increase due to this cause was about 140 cases, and as it has now been found that the decrease during the past year amounts to very nearly this number, it may I think, be safely concluded, that in the extent of what may be called the natural litigation of the past, as compared with the previous year, there has been no actual decrease.

"In my opinion, the general tendency in this, as in all the other districts of the Central Provinces, and more particularly in those which have most recently come under British rule, is for litigation steadily to increase. Here as elsewhere a decrease in one year is followed by a more than corresponding increase in the next year, and a comparison of the results of a series of years, such as has been made by the Judicial Commissioner in the report for last year, shows how surely and even rapidly the movement is going on. Some of the special causes which had tended to increase litigation in this district, I also noted in my last year's report; but there is, I think, a general cause which underlies all others, and is everywhere at work, and this is that the effect of our rule is to break up the Native social system, and thus to render a recourse to our courts of law necessary in many cases which under Native rule, would have been settled by an appeal to the religious superstitions of the people or by the influence and authority vested in the heads of castes. During my

residence in this district, I have seen this cause working with gradually increasing effect, and I have lately had special opportunities for studying the question in the administration of the Feudatory State of Patna, which a few years ago was taken under our temporary management. The result of my enquiries in regard to the increased litigation in Patna which had attracted the Chief Commissioner's attention, I have already detailed in full in my report on that State, but I believe that it will not be held out of place, and may perhaps not be uninteresting, if I here give a short summary of what I then said, in addition to relating what I have observed in the district of Sambalpur itself.

"In the first place, I would note that I found just as much indebtedness among the people of Patna, as among those of Sambalpur, while the 'soucar' is there held in much greater respect and has much more influence. The impression I formed was that the great majority of the people were indebted, not to any great extent, for most of those to whom I spoke on the subject told me they could clear off their debts entirely, if they 'broke up their houses,' meaning thereby if they sold the jewels worn by their wives and children, and the more valuable part their household property; but it seemed to be a part of the general system that a man should have a running account with the village 'soucar' and be a little to the bad therein. I ascertained also that arbitration was very seldom resorted to as a means of settling claims for debt. The village elders were no doubt sometimes called on to interpose between a creditor and a debtor, but almost invariably merely in the capacity of intercessors to obtain an extension of the time allowed for payment or a remission of part of the claim. The extent of every man's debt being generally well known, disputes on matters of account could seldom arise, and in any case debtors could not often be in a position to risk calling in question the correctness of the 'soucar's' claim. At the same time I found that the processes employed for realizing outstanding debts were much more harsh and exacting than any sanctioned by our Procedure Code. The usual course was for the 'soucar' first to send a couple of 'piyadas' or bailiffs to the defaulting debtor with a note requiring him to pay up the amount due, and fixing as the Tulubana or daily fee of the bailiffs a certain sum varying according to the magnitude of the debt and the position of the debtor. If the debtor was unable to pay up at once, these men would settle down in his house and live there perhaps for months together entirely at his expense, and drawing their daily wage, which as an ordinary rule would not be less than four annas each, and as they were generally men of low birth and violent manners, the annoyance which their presence caused to a family with any pretence to respectability can easily be conceived. In the end some arrangement would be come to, the creditor perhaps accepting payment of a part of the debt, and allowing time for the liquidation of the remainder, but if there was a second default, the debtor would at once be again visited by the bailiffs. This time however they would take him to the creditor's house, and there he would be detained a prisoner not actually in confinement, and allowed to cook his own food (which he would have to provide for himself) but still a prisoner, not daring to leave the place and being often made to labour like a common coolee at any work which the 'soucar' might have in progress. In the event of his having influential or wealthy friends, this imprisonment would be made as degrading and irksome as possible, and would probably be continued until his friends came forward and released him by paying at least a portion of the claim. Supposing however that time had been again allowed for payment and there was again a default, the last resource of the 'soucar' would be to proceed in person to the debtor's house and either to seat himself in 'dhurna' at the door, or to imprison the debtor therein, by drawing three lines before the door in the names of Bramha, Vishnu and Myheswar. In either case the effect on the family of the debtor would be simply overpowering, the whole household would feel themselves under a ban social as well as religious, and not a single individual would eat or perform any of the most ordinary domestic duties, while this state of things lasted. The good offices of the village elders would now be solicited by the debtor, and they would endeavor to appease the 'soucar' and obtain as favorable terms from him as possible, the most favorable generally being that he should take all that the debtor possessed and give him a quittance in full of his debt. In token of acquiescence the 'soucar' would now receive food from the debtor, by which act the interdict placed on the latter and his family would be removed; and on the debtor's property being made over to him, if a quittance in full was to be given, the transaction would be concluded by his receiving from the debtor a cow, a piece of gold or something else considered 'pawitra' or pure, so that the latter might not be held to be still in debt in a future life.

"I likewise found that the usages which governed the settlement of questions relating to caste, and the means by which damages were exacted in cases of seduction or adultery, were equally arbitrary and oppressive. In caste questions trial by ordeal was not unknown, though as a rule an accused person would merely be called on to swear to his innocence in some temple, but if within a stated time after he had taken this oath any death occurred in his family or any other misfortune befell him, he would be at once and for ever out-casted. A most peculiar custom also prevailed in regard to cases of seduction. If a girl unmarried or who though married had not gone to her husband, was found to have gone wrong, there would at once be a meeting of her caste people, and she would be called on to name her seducer If he belonged to the same caste, the case would be settled by his being out-casted until he had paid a very heavy fine to the caste people. But in the event of his belonging to another caste, the whole of the girl's caste people in the neighbourhood would go in a body to his house, and supposing him to be a young lad, as would generally be the case, would call out his father and demand that he should give up a maiden from his family in return for the maiden of their caste whom his son had ruined. This demand would be answered by the father prostrating himself before the elders of the assembly, and begging them to take all he had but to spare the honor of his family. He and his family would then leave the house, which would thereupon be taken possession of by the assembled caste people, who would live there until they had consumed all that was in it. After this there would be a meeting of the village elders and of the caste people of both parties, and the unlucky father would find himself called on to pay a heavy fine not only to the caste people of the girl who had been seduced, but also to his own caste, in order that his son might be re-admitted into fellowship.

"Under these circumstances, when a court was once established in Patna for the disposal of all Civil claims, it is not surprising that the people knowing that such arbitrary measures were not sanctioned in Sambalpur, should become on the one hand doubtful whether they could safely continue to put them in practice, and on the other hand unwilling to submit to attempts to enforce them. At the same time also they saw that their interest and convenience were better served by an appeal to court than by their old methods of procedure, and as these ideas spread through the country, the number of cases which came to the Tahsildar's court, necessarily increased. Other causes also induced to the same end. The more settled state of the country leading to a rapid extension of cultivation, caused disputes in regard to the boundaries between villages and to the ownership of plots of land, which had long been lying waste, to spring up on every side, and the punishment of a few individuals for affrays arising therefrom showed the people that they could not adopt their old plan of settling such disputes, which was to fight them out, and thus forced them to come to court. Merchants also came from Sambalpur and elsewhere, and opening shops in the State, commenced to sell goods on credit, and the suits which they have brought to recover the sums due to them though not numerous have helped to swell the general aggregate.

"Exactly the same thing has occurred in Sambalpur, within my own experience. When I first joined the district "piyadas" were everywhere employed for the recovery of debts, but the people soon began to resent any violence or intrusion on their part, and a few prosecutions for assault or trespass have made them chary of accepting employment except in the remoter parts of the districts or in the Zamindaris. I can also call to mind several instances in which creditors were challaned for theft because they had taken forcible possession of property belonging to their debtors, and though I always dealt leniently with such cases, the fact of the Police interfering has been sufficient to stop the practice. Then again the authority and influence of the heads of castes have been to a great extent destroyed, almost every caste in the district is now split up into several opposing factions, and though such splits no doubt frequently happened in former days, they were then ultimately decided by the ruling power siding with one of the parties, whereas now no such influence can be used, and the breach goes on widening year by year. The consequence is that the decisions of one faction are not accepted by the other, and individuals seeking redress have often to come to our courts in cases in which though there may have been really substantial injury, it is very difficult for them to interfere with effect. At the same time while the caste and the family are the units, on which the Hindu social system is based, the individual is that of our laws, and this is leading to the rapid growth of the idea of individual right. In such cases of seduction as I have

instanced in speaking of Patna, it has never been the husband or father of the seduced girl who received the fine levied from the seducer but the caste people, and this used always to happen and still in fact does happen in such similar cases as are disposed of by the caste people in Sambalpur; but now the almost invariable rule here is for the injured husband at once to come to court and bring a suit for damages, and whatever is decreed in his favor he of course retains. In short, every thing appears to be working to make our courts the only tribunals by which the people can recover the debts due to them, or obtain redress for the slightest wrong or settle the most trivial disputes, and under these circumstances I think I cannot be wrong in saying that a steady increase in litigation is inevitable. It is worth noting also that the number of institutions during June and July has not been great, and that therefore there is no reason for supposing that in this district suits have been brought by creditors in order to harass debtors during the sowing season. I may add that my own experience would never lead me to suppose that such a system could become general. As far as I have seen, the ordinary creditor is not very much different from other men, and is as a rule perfectly satisfied if he obtains the money fairly due to him. Then again the persons who in this district at least usually lend money to cultivators, are themselves agriculturists, and it would be just as inconvenient to them as harassing to their debtors to have to attend Court at a busy season. I do not either agree in the view that there is even any one week in which it is necessary for a cultivator to sow his rice fields. He may of course have a part of his land ready for sowing at the commencement of the rains, and would be inconvenienced if he could not do so, but it is just as likely that he may have sown before the rains began, and would not then have much to do in the first week or two of wet weather. Then again there are so many methods of sowing rice, that a cultivator not able to sow according to one, has almost always another to fall back on, and I scarcely think a cultivator would ever say that he had as much to do in the sowing season as in the harvest. I think therefore that as far as this district is concerned, the convenience of the cultivating classes could not be better consulted than by having the Civil Court vacation in December, and it would appear that this would be still more the case in those districts where there is a second crop, as the people there would then not only have their rice to cut, but also their rabi crops to sow."

And the following extracts contain the views of Commissioners on the extent and fluctuation of litigation :—

[*Jubbulpore Division Report, paras.* 21—25.] "It will be seen that the variations between 1873 and 1874 are small in all the districts except Saugor and Damoh. The Deputy Commissioners of Jubbulpore and Saugor have been at much pains to discover reasons for the variations in their districts, but with little result. It seems to me to be fruitless to search for causes for small fluctuations between year and year. It would certainly be very surprising if there were no fluctuations. I agree with my predecessor that we must look for the effect of the causes by which litigation is affected, not in single years, but in cycles of years. In the present instance it is noteworthy that in every district except Saugor the fluctuation of the present year is in the reverse direction to the fluctuation of last year. In Jubbulpore and Mandla there is an increase against a decrease last year; while in Damoh and Seoni there is a decrease against an increase last year. Only in Saugor has there been an increase for two years in succession, but there, it is to be observed that notwithstanding this increase the total number of suits for the year falls far short of the average number of suits for the years 1868 to 1871. There seems to me then to be nothing calling for comment in the figures of the total institutions. Affecting the institutions in the various courts, there are of course special causes, which have been duly noted in the District reports and which it is unnecessary to recount here.

" The Deputy Commissioner of Jubbulpore draws attention to the curious fact that the increase in suits in his district, has taken place almost entirely in suits for immoveable property. The increase in this class of suits is peculiar to Jubbulpore, and the Deputy Commissioner is unable to assign any cause for it, but I note that in 1873, there was a considerable *decrease* in this class of suits in Jubbulpore, as compared with 1872, while in every other district there was an increase. The present rise is not therefore so surprising as it would at first sight appear,

" Variations in the number of institutions in the several months of the present year as compared with last year are pointed out by the Deputy Commissioners of Jubbulpore, Saugor, Damoh and Seoni ; but no general conclusion can be drawn from them, except that there was a tendency to increased institutions in March and April, attributable no doubt to the fine rabi harvest of 1874. In every district, the months of June and July show the heaviest list of institutions, the cause being no doubt, that which was assigned in my No. 2,808, dated 21st July 1874, viz : that by the end of May the rabi crops have been threshed and the grain disposed of, and the debtors have the wherewithal to satisfy the demands of their creditors.

" On the condition and prospects of the agricultural classes in the present year, the Deputy Commissioner of Jubbulpore has some interesting remarks.

" The Deputy Commissioner of Saugor points out that the increase in the number of suits is most noticeable in the northern part of the district, where the scarcity of 1868-69 was most serious, and he concludes that the excellence of the harvest of 1874 gave an opportunity to money lenders to recover their advances from persons who up to that time had had no means of paying. This view is plausible in itself, but if it were correct Damoh ought to have been affected by similar causes, and ought to have shown an increase instead of a decrease. "

[*Narbada Division Report, paras.* 5—9.] " The only district showing more suits instituted than in 1873, is Chhindwara. The total increase however is only 85 institutions, a result which the Deputy Commissioner considers as 'attributable to the apathy evinced by debtors, who now as a rule keep back from paying up, in the expectation of arrears of interest being disallowed by the courts, and instalments' commensurate with their means being fixed by them'. It seems unnecessary to attempt to assign any single cause at all, for so small an increase, if the increase is to be considered generally in reference to the total litigation in the district. But it is rather remarkable to find, by comparison with last year's figures that while in Saosar there was this year a total *increase* of 437 institutions, there was a *decrease* in the Chhindwara courts of 352. The Deputy Commissioner will be now asked if he can assign any likely reason for these contrary processes going on at the same time in his district. In so far as Judicial practice itself tends to favor or repress litigation it may be here noted that various inferences deducible from the figures point to the possibility that the court of the present Tahsildar of Saosar is a court whose procedure may be unduly favourable to plaintiffs. During the last three quarters of the year, as the Judicial Commissioner knows, the procedure of this court has given rise to unfavorable comment. And it may be worth while to point out to the Deputy Commissioner that since (other things being equal) some general decrease of litigation in the past year and probably for a year or two to come, was to be and may be expected, from the application of the principles laid down in the Judicial Commissioner's Circular No. 4 of 1872, and since some such general decrease has in fact occurred in the Chhindwara Sadar courts during the year under report, the *increase* in Saosar ought to be studied ; and *if* it be assignable not to any cause outside court practice but simply to the Saosar court having been less careful than it should have been, to apply prescribed principles in its treatment of suits, than the true cause should be plainly assigned, and the remedy taken in more instruction to this court, and stricter supervision over it. If on the other hand any specific cause can be shown outside the court practice for the increase, that cause will perhaps be brought out by the Deputy Commissioner's enquiries.

" All the other districts show total decreases of institutions.

" In Hoshangabad	there was a	decrease of	270.
" In Nimar	do.	do.	304.
" In Narsinghpur	do.	do.	84.
" In Betul	do.	do.	238.

" *Hoshangabad.*—Here the decrease is due mainly to Sohagpur; there were here apparently no less than 382 less institutions than in 1873. And the Deputy Commissioner thus accounts for the decrease.

"The exceptionally high number* in 1873 was explained in my report for that year as undoubtedly due to the bad season of 1872, and I have no hesitation in saying that the present decrease was to be expected and is a source of congratulation. I think that probably the Deputy Commissioner is right. My own enquiries made at Sohagpur lead me every much to the same opinion. But something too may possibly be due to stricter† court practice. In Harda there was a slight decrease, while in the Hoshangabad courts there was an almost corresponding increase. In the court of the Tahsildar of Seoni, there was an increase of 14 per cent. But the Deputy Commissioner notes, probably correctly that this may be partly due to the fact that in 1873 this court was for some time without a presiding officer. The Deputy Commissioner has taken pains to furnish materials for observations on the periodical and local fluctuations in litigation during the year."

* Of suits in Sohagpur.

† Thus:—

	In 1873.	In 1874.
Percentage of contested to uncontested suits was. ...	21	24
Percentage of decrees by instalments to total number of suits disposed of was ...	3	7
Percentage of cases in which costs were decreed a gainsta winning plantiff to total number of suits disposed of. ...	1·3	2

Narsinghpur.—"In this district the total slight decrease of 84 institutions results thus,—

"In Narsinghpur an increase of 78
"In Gadarwara a decrease of 223
"In Chawarpatha a decrease of 61

"The Deputy Commissioner accounts generally for the total decrease by the much greater resort had to decrees of payment by instalments. And in fact this sort of decree did rise in number from 76 in 1873 to 469 in the year under report. And doubtless in this district as elsewhere the example of this and other procedure justly favourable to defendants had some effect in checking unnecessary litigation. It may be noted, however, that the whole or a greater part of the decrease in Gadarwara may be accounted for by the fact, that for some time during the year suits above Rs. 100 in value for that sub-division, were brought into Narsinghpur. The real decrease therefore would seem to have been at Narsinghpur. The increase shown in Chawarpatha again is not due really to increase of local litigation; for during two months and more of 1873, Chawarpatha was without a judge, and the local suits had to be instituted in Narsinghpur."

Nimar.—"The decrease in institutions in this district is of a very steady kind, not strictly attributable to one locality very much more than to another, and must be due doubtless in great part to a watchful continuance of court procedure enjoined by the Judicial Commissioner's Circular No. 4 of 1872, and superintended very carefully by the Deputy Commissioner since the commencement of 1873. Lieutenant-Colonel Playfair has carefully analysed his figures and gives two supplementary Statements A. and B. showing the litigation quarter by quarter, and month by month for the Sadar courts, the Burhanpur courts, and the Mortakka court respectively; these Statements show institutions including re-institutions. Eliminating the latter, the figures are these:—

	Institutions in—		Decrease in
	1873.	1874.	1874.
Khandwa	4,377	4,239	138
Burhanpur	2,520	2,477	43
Mortakka	747	634	113
		Total ...	294

Betul.—" Regarding the local fluctuations of litigation in this district, it may be noted that the Deputy Commissioner has considered them more by the figures pertaining to each court, than by the more useful method of dealing with them by the localities where there are courts, and the Deputy Commissioner appears to think that a good deal of the total decrease in institutions may be due to the unpopularity of the court of the late Extra-Assistant Commissioner, Mr. Srinath Bose. Putting the question of this court's popularity or otherwise on one side, it seems that the total institutions in all the Betul courts were more by 27 than they were in 1873, and that the real decrease is due to Multai, where the institutions fell from 1,512 in 1873 to 1,299 in 1874. The number of institutions at Multai would be slightly decreased as noted by the Deputy Commissioner under operation of the instructions conveyed in the Judicial Commissioner's Circular No. XIV. of 1874, and this slight cause of decrease would apply to most Tahsildar's and Naib Tahsildars' Courts everywhere. But another cause of decrease in Multai is noticed by the Deputy Commissioner in the transfer of all suits from the Atner Pargana to Betul. These two causes of decrease in litigation at Multai should however have operated to increase the total litigation at Betul, and this they have apparently not done."

II.—Value of Suits.

Relative value of suits disposed of.

19. The relative value of suits disposed of in the years 1873-74 are compared in the following table :—

Grades of value.	1873.		1874.		Percentage of total suits.		Average value.	
	Number of suits disposed of.	Total value.	Number of suits disposed of.	Total value.	1873.	1874.	1873.	1874.
		Rs.		Rs.				
Not exceeding Rs. 5	11,903	38,373	12,017	39,576	15·8	15·5	3·2	3·3
Do. 20	26,939	339,105	27,314	3,31,707	35·6	35·4	12·6	12·1
Do. 100	28,769	12,05,556	29,514	12,80,412	38·	38·2	41·9	43·4
Do. 500	6,940	12,93,321	7,244	13,01,788	9·2	9·4	186	180
Do. 1,000	527	3,80,925	638	4,52,810			723	709
Do. 5,000	476	954,072	435	8,48,767	1·4	1·5	2,004	1,951
Do. 10,000	32	2,31,514	42	2,94,914			7,235	7,021
Exceeding Rs. 10,000	17	4,63,140	21	4,31,386			27,244	20,542
Total ...	75,603	49,06,006	77,225	49,81,360	100·	100·	64·9	64·5

Observations on values of suits by districts.

20. The following table presents the subject in detail of districts :—

Percentages of suits [disposed of] of the several classes of value—

Districts.		Not exceeding Rs. 5.	Not exceeding Rs. 20.	Not exceeding Rs. 100.	Not exceeding Rs. 500.	Not exceeding Rs. 1,00,000.
Nagpur ...	1874	19·4	38·5	33·6	7.3	1·2
	1873	19·0	38·5	33·3	7·7	1·5
Chanda ...	1874	12·4	39·3	40·6	6·7	1·
	1873	15·4	37·7	39·5	6·9	·5
Bhandara ..	1874	14·5	34·7	40·	10·1	·7
	1873	19·4	33·6	37·8	8·3	·9
Wardha ...	1874	12·3	36·3	40·8	9·2	1·4
	1873	10·5	35·9	41·6	10·8	1·2
Balaghat ...	1874	21·5	33·3	35·3	8·1	1·8
	1873	22·2	35·5	33·2	8·	1·1
Upper Godavari ...	1874	31·6	42·8	20·9	4·1	·6
	1873	28·	30·8	31·9	7·8	1·5
Jubbulpore ...	1874	13.2	32·6	39·4	12·4	2·4
	1873	13·3	35·1	36·5	12·3	2·8
Saugor ...	1874	10·2	32·3	42·7	12·5	2·3
	1873	12·6	34·1	39·1	11·9	2 3
Damoh ...	1874	12 6	37·	39·8	9·8	·8
	1873	12·	34·	44·6	8·8	·6
Seoni ...	1874	16·	37·1	38·7	7·	1·2
	1873	14·6	38·4	36·2	8·6	2·2
Mandla ..	1874	19·7	37·5	36·	6·	·8
	1873	19·9	37·2	33·5	8·9	·5
Hoshangabad ...	1874	10·8	30·8	42·1	13·8	2·5
	1873	10·6	30·7	43·	13·5	2 2
Betul ...	1874	15·7	36·7	38·9	7·7	1·
	1873	15·3	33·5	42·6	7·6	1·
Narsinghpur ...	1874	9 8	32·	45·	11·3	1·9
	1873	10·9	33·6	43·6	10·5	1·4
Chhindwara ...	1874	18·6	36·7	37·6	6·2	·9
	1873	20·8	37·	35·9	5·8	·5
Nimar ...	1874	15·7	35·8	38·8	8·8	·9
	1873	16·8	37·0	38·1	7·4	·7
Raipur ...	1874	20·5	35·5	32·6	9·8	1·6
	1873	19·2	33·8	35·1	10·3	1·6
Sambalpur ...	1874	24·2	35·9	33 8	5·7	·4
	1873	24·4	37·8	30·7	6·6	·5
Bilaspur ...	1874	26·2	35·1	28·	8·8	1·9
	1873	25·6	40·6	28·2	5·	·6

As might be expected the proportion of suits not exceeding Rs. 5 in value is highest in the Mandla, Balaghat, Raipur, Bilaspur, Sambalpur and Upper Godavari districts, where the value of money is comparatively high, and again as compared with adjacent districts in Nagpur and Jubbulpore by reason of their urban populations; but the comparatively low proportion of these suits in Saugor, where there is also a populous city and cantonment, is somewhat remarkable. The average amount litigated in each suit in each of the four first classes of values remains low,

III.—Description of Suits.

Comparison of numbers and proportion of suits, 1873-74.

21 The following table comparing the number and proportion of suits of the principal kinds during 1873 and 1874, is prepared from Statement No. I.

Suits for.	1873.		1874.	
	Number of suits.	Percentage of total suits.	Number of suits.	Percentage of suits.
Money due on bond or other contract ...	63,369	83·8	64,718	83·8
Recovery of moveable property or value thereof ...	6,519	8·6	6,540	8·5
Damages	1,773	2·4	1,894	2·5
Immoveable property	2,370	3·1	2,501	3·2
Rent not falling under the Rent Law	733	1·0	561	·7
Other claims	839	1·1	1,011	1·3
Total ...	75,603	100·	77,225	100

Distribution of suits under sub-heads

22. The distribution of suits under the several sub-heads of contract in the returns for the two years is contrasted below.

Sub heads of suits for money due for breach of contract.	1873.		1874.	
	Number of suits under each sub-head.	Percentage of total suits for money due for breach of contract.	Number of suits under each sub-head.	Percentage of total suits for money due for breach of contract.
On written obligation	37,028	58·4	39,271	60·7
On unwritten obligation	12,409	19·6	12,158	18·8
On account stated	1,431	2·3	1,719	2·6
For money paid or received	1,083	1·7	1,084	1·7
For goods sold and delivered ...	9,555	15·1	9,317	14·4
For breaches of contract not included above..	1,863	2·9	1,169	1·8
Total ...	63,369	100·	64,718	100·

Classification of suits under main heads.

23. The statistics of each district for 1874, for the main classes of suits, are given in the following table :—

Districts (Small Cause Cause Courts' figures being included.)	Total suits disposed of.	For money due. On written obligation. Number.	Percentage of suits disposed of.		On unwritten obligation. Number.	Percentage of suits disposed of.		For goods sold and delivered. Number.	Percentage of suits disposed of.		For recovery of moveable property or value thereof. Number.	Percentage of suits disposed of.		For damages. Number.	Percentage of suits disposed of.		For immoveable property. Number.	Percentage of suits disposed of.	
	1874	1874	1874	1873	1874	1874	1873	1874	1874	1873	1874	1874	1873	1874	1874	1873	1874	1874	1873
Nagpur	15,766	9,028	57·3	53·7	2,429	15·4	15·4	2,424	15·4	16·0	628	4·0	4·9	220	1·4	1·5	331	2·1	2·4
Chanda	2,128	1,250	58·8	52·4	159	7·5	10·5	129	6·1	8·4	317	14·9	17·5	76	3·6	2·9	34	1·6	2·4
Bhandara	2,737	1,493	54·6	48·2	295	10·8	10·7	199	7·3	9·1	465	17·0	15·3	76	2·8	2·9	56	2·0	3·0
Wardha	6,964	3,589	51·5	52·4	1,245	17·9	18·8	869	12·5	11·9	473	6·8	8·6	109	1·6	·8	209	3·0	2·3
Balaghat	1,387	533	38·4	36·1	298	21·5	21·3	69	5·0	2·4	263	19·0	21·3	81	5·8	4·7	26	1·9	1·7
Jubbulpore	5,045	2,050	40·6	41·9	844	16·7	14·7	775	15·4	17·4	256	5·1	3·4	158	3·1	3·0	308	6·1	4·2
Saugor	3,738	1,840	49·2	43·7	401	10·7	9·5	355	9·5	13·2	557	14·9	13·0	36	1·0	1·3	177	4·7	4·1
Damoh	1,788	919	51·4	47·8	211	11·8	14·1	124	6·9	2·5	260	14·5	20·6	40	2·2	2·9	105	6·0	6·7
Seoni	1,450	521	35·9	39·3	406	28·0	30·7	141	9·7	8·0	184	12·7	6·8	84	5·8	4·5	46	3·2	2·8
Mandla	694	170	24·5	29·2	200	28·8	29·2	117	16·9	14·0	73	10·5	9·4	49	7·1	6·9	12	1·7	1·5
Hoshangabad	7,468	3,880	52·0	50·5	1,161	15·5	17·6	477	6·4	5·4	986	13·2	14·5	152	2·0	1·1	217	2·9	3·1
Betul	2,961	1,478	49·9	50·5	533	18·0	15·2	324	10·9	11·3	174	5·9	4·6	108	3·7	3·4	90	3·0	4·1
Narsinghpur	6,354	3,879	61·0	59·2	1,004	15·8	15·9	373	5·9	7·9	277	4·4	5·8	98	1·5	2·1	286	4·5	4·3
Nimar	7,619	4,321	56·7	53·8	949	12·5	13·7	1,355	17·8	19·4	224	2·9	4·7	112	1·5	1.6	148	1·9	2·1
Chhindwara	3,783	1,979	53·0	47·0	633	16·9	19·0	278	7·5	12·4	363	9·7	7·2	87	2·3	1·1	141	3·8	4·6
Raipur	3,711	1,233	33·2	30·4	742	20·0	23·6	620	16·7	12·8	567	15·3	14·6	208	5·6	6·0	133	3·6	2·8
Sambalpur	1,344	461	34·4	34·5	198	14·7	16·3	187	13·9	18·3	229	17·0	12·9	92	6·8	6·7	89	6·6	3·3
Bilaspur	2,120	598	28·2	29·3	428	20·2	24·6	441	20·8	18·7	232	11·0	5·6	102	4·8	7·4	92	4·3	3·1
Upper Godavari	168	49	29·2	29·0	22	13·1	18·1	60	35·7	29·3	12	7·2	5·4	6	3·5	3·5	1	·6	·8
Total ...	77,225	39,271	50·9	49·0	12,158	15·7	16·4	9,317	12·1	12·6	6,540	8·5	8·6	1,894	2·5	2·4	2,501	3·2	3·1

Most of the reports remark on the subject of classification of suits. Attention has been particularly directed to it during the last two years, but it appears difficult to establish statistical uniformity. The following extracts from the reports of the Commissioners of the Jubbulpore and Narbada Divisions sufficiently illustrate the matter.

[*Jubbulpore Division Report, paras* 29, 30] "Taking the classifications by districts the results obtained are shown in the following table :—

Districts.	Total suits instituted.	For money due, On written obligation.		On unwritten obligation.		On goods sold and delivered		For recovery of moveable property or value thereof,		For damages.		For immoveable property.	
		Number.	Percentage of Column 2.	Number.	Percentage of Column 2.	Number	Percentage of Column 2.	Number	Percentage of Column 2.	Number.	Percentage of Column 2.	Number.	Percentage of Column 2.
Saugor ...	3,250	1,741	53·56	365	11·23	243	7·47	552	16·98	33	1·01	177	5·44
Jubbulpore	2,032	883	43 45	269	13·23	166	8 17	130	6·39	47	2·31	308	1515
Damoh ...	1,698	919	54·12	211	12·42	124	7 3	260	37·24	40	2·35	105	6·18
Seoni ...	1,408	521	37·0	406	28·83	141	10·1	184	13·06	84	5·96	46	3·26
Mandla ...	680	170	25·0	200	29·41	117	17·20	73	10·79	49	7 20	12	1·76
Total...	9,068	4,234	46·69	1,451	16·	791	8·72	1199	18·22	253	2·78	648	7·14

" It will be seen from this statement that excepting in Saugor, the number of suits on 'written obligation' has decreased in all the districts. In Damoh, although there has been an actual decrease in number, the percentage has risen from 47·3 to 54·12 Damoh has always shown a large percentage under this head, for which, as remarked by my predecessor in his report for the past year, it is difficult to account. The Deputy Commissioner merely remarks that 'it appears that the money-dealers have become unwilling to lend money except on written agreement.' In Saugor, the percentage has risen from 46·46 in 1873, to 53·56 in 1874, and no reason has been assigned by the Deputy Commissioner. The number of suits on 'unwritten obligation' has also increased in this district, and possibly the increase is due to better classification. The preponderance of suits on writtten obligation in Jubbulpore, Saugor and Damoh, and on unwritten obligation in Seoni and Mandla, is remarkable. The percentage of suits for goods sold and delivered is still strangely large in Mandla. The decrease in the number of suits for moveable property or value there of in Damoh is explained by the Deputy Commissioner to be owing to the good harvest, this class of suits being generally for grain debts. The increase of suits in Seoni under this head is stated to be confined to the head-quarters, and the Deputy Commissioner accounts for it by referring to the failure of the autumn crop of 1873, implying apparently that the advances of grain had to be sued for when the good harvest of 1874 was reaped. This explanation is hardly consistent with that offered from Damoh. The proportion of suits on account of immoveable property still continues highest in Jubbulpore. With regard to the large increase in the number of suits for foreclosure of mortgage in Damoh, the Deputy Commissioner explains that, 'in two-thirds of the cases this year was the last of the period within which the suits could have been instituted. The remaining cases which in themselves show an increase as compared with former years have been instituted this year, partly in consequence of last year's good season, which gave the people an opportunity of foreclosing when an increased area of land was under cultivation, and partly, it is said, because an idea has got abroad that sale of lands were about to be put a stop to.'"

[*Narbada Division Report, paras*, 11—16.] "There is but little fluctuation in the percentages of suits on 'money due on bond and other contract' to the total litigation disposed of. As a matter of course, these suits continue to comprise the great bulk of litigation. But it may be noted that the Hoshangabad district shows the lowest percentage, 78·2, and the Nimar district, the highest 90·9 respectively, considerably below, and above the percentage for the Provinces last year. The highest fluctuations are also in these two districts; the Nimar percentage having increased by 1·9 and that of Hoshangabad having decreased by 1·4. Litigation on ground not covered by dispute, on 'money due on contract' is certainly remarkably high for these Provinces, in Hoshangabad. It is due mainly to suits for moveable property, although there was a decided decrease in this year's figures as compared with those of 1873. It is remarkable that these suits should be so much more numerous in Hoshangabad than in Narsinghpur:—

	Hoshangabad.		Narsinghpur.	
	1873.	1874.	1873	1874.
Suits for moveable property or value thereof	1,174	986	383	277

"Taking all the districts together, the greatest number of suits of this description were in value between 20 Rupees and 100 Rupees And the same fact as to value is apparent in suits for immoveable property. And the circumstance that only 5 suits out of 882 of this last description were in value above 5,000 Rupees, we may be pretty sure affords another instance of general want of opulence * * *. Suits for enforcement of matrimonial rights are somewhat numerous in Nimar, more numerous than in the other four districts taken together. The Deputy Commissioner will be asked to have these suits of 1874 looked through to see whether the classification is right. Not a single suit was filed 'relating to religion and caste' in any district of the Division,—an instance of how completely a certain class of dispute can be settled by indigenous institutions outside our courts. 'Suits for damages' considerably increased in Hoshangabad, and considerably decreased in Narsinghpur. In the whole division, these suits were most numerous in the value class between 20 Rupees and 100 Rupees; and no less than 94 out of the total 556 suits were claims for sums not exceeding 5 Rupees, which seems to show, as was remarked last year, that some of these claims at all events are made without very serious cause. I conjecture, however, but am not sure of this, that many of these suits may be for damages caused by trespass of animals in fields. In my inspections I have seen some of these suits filed.

In 1873.. .. 56 suits.
,, 1874 .. .. 52 do.

"Turning back to the most prominent descriptions of suits, claims for 'money due on bond or other contract' the following notes are made. The total number of these suits are as follows:—

Districts.	Tahsils.	Suits.
NARSINGHPUR.	Narsinghpur	2,237
	Chawarpatha	466
	Gadarwara	2,872
HOSHANGABAD.	Sohagpur, including Pachmarhi ...	1,375
	Hoshangabad	1,670
	Seoni	584
	Harda	2,330
NIMAR...	Mortakka	593
	Khandwa	3,937
	Burhanpur	2,322
CHHINDWARA	Saosar	1,301
	Chhindwara	1,831
BETUL	Multai	1,114
	Betul	1,416

" As usual, the great majority of these suits were claims founded on 'written obligation.' The percentage of this class to the total in the last para., vary from 82·7 to 49·3; and strange to say these extremes appear in one district, Chhindwara. In no other District does any such startling difference appear. Other similar extraordinary differences appear in the Chhindwara district. Thus:—

	In Chhindwara.	In Saosar.
Suits founded on unwritten obligation were per cent	29	7·7
Suits on account of money due for goods sold and delivered were per cent ...	12·3	3·9

" Everything of course depends on correctness of classification; but if the figures are correct a very extraordinary difference of 'fashion' is exhibited here in the same district. It may be that the Mahratha usage below the Ghats exists more than in Chhindwara proper of securing petty debts by bonds. But the percentage of suits 'for goods sold and delivered' is rather striking, especially when we consider that Saosar has the trading villages of Lodhikhera, Mohgaon and Pandhurna, while above the Ghats there is nothing that can be called a trading village except Chhindwara itself.

" In the Narsinghpur District, Gadarwara has much the lowest percentage of suits founded on bonds, and much the highest percentage of suits founded on 'unwritten obligation,' whereas one would have expected the exact contrary to have been shown in each of these instances. The percentage of suits for money due on 'goods sold and delivered' is remarkably low in

Gadarwara	...	...	4·6
and Seoni	...	...	4·2

possessing two of the most flourishing towns in the Narbada valley; while it is highest of all in Burhanpur, 21·9, a town that is distinctly and obviously continuing to decay. The other localities in Nimar too have these percentages high:—

Mortakka	...	..	16·3
and Khandwa	...	...	18·2

These suits were more numerous at Khandwa than at any other place in the five districts. Finally it may be noted that it is to the description of suits on written obligation that Saosar owes its total increase of litigation in the year, and also, however, that the *value* of this description of suit increased considerably in the whole district of Chhindwara, and probably a share in the increase must be due to Saosar.

" On the whole it may be added that doubtless many of the differences in results noted above, and others not noticed, may be due to a different fashion in different localities. It would for example be, I at least think, hazardous to infer that trade was dull in any given locality, merely because its percentage of suits' for goods sold and delivered' was low. Obviously it may be the fashion in one place for shopkeepers to allow customers' debts to run up, while in other places this is not the practice, and ready money at shop purchases being all the custom, purchasers would have to get their money somehow or other before they went to their tradesmen, and the stress of civil litigation arising out of trade would be divested from suits for money due on 'goods sold and delivered' to suits on written and unwritten obligation. Much must be due to these differences in the custom of the country. Yet it is difficult when we see how different localities in the same district generally agree in having a glut of suits and a paucity of suits in the same categories, to avoid the guess that something may also be due to the idiosyncracies of statistical writers. The case of the very high percentages of suits for money due for 'goods sold and delivered' in each of the three sub-divisions of Nimar (each one of them so different in many respects from the others) is a case in point. On the other hand the dissimilarities apparent in this and other percentages in Chhindwara and Saosar seem possibly to point in the other direction, that is, to a real difference in the 'custom of the country' above and below the ghats. But even this last remark must be taken with the qualification that a good check in the classification is supposed to be maintained in the Sadar office. Doubtless the fact is that no classification can be devised, which shall really be very easy, and simple as the classification which we have looks; inspections and check again and again show that the ordinary 'Judicial Moharrir' is very apt to make mistakes.'

And the following extracts bear on the figure of suits for immoveable property shown in the last column of the above Statement :—

[*Nagpur District Report, para.* 19.] " The number of suits for immoveable property was somewhat less than in 1873, the figures being :—

1874	331
1873	351

And an examination of the suits in 1874 shows the claims to be for possession of

Villages and shares in villages	...	17
Plots and fields and shares therein	..	65
Trees	...	16
Sites and pieces of ground in town and village 'abadis'	...	17
Houses	...	156"

[*Wardha District Report, para.* 19.] " The increase in suits for immoveable property is mainly by suits for plots of ground and houses and dwelling sites, and is as 3 to 2·3 in 1873."

[*Raipur District Report, para.* 20.] " The most noticeable point in the year however was the growing tendency of suits for immoveable property, and claims which appear to have been neglected and passed over at the Settlement are now being urged. This is owing mainly no doubt to the increasing value of landed property in the district.

" Of the 133 suits for immoveable property, 25 were for villages and shares in villages, and the rest for plots, fields, houses, trees and sites."

[*Sambalpur District, Report para.* 18.] " There has also been a considerable increase in the percentage of suits for immoveable property. But this has been caused not by any actual increase in the amount of litigation which has taken place in regard to immoveable property, but by the transfer to the Civil Courts of a part of the work which used to be performed by the Revenue Courts. Formerly all suits under Act X. of 1859 used to be taken up by the Settlement Officer and his Superintendent, but on the abolition of this latter appointment when Suttyabadi Parhi again returned to be Tahsildar of Bargarh, it became necessary to order that such suits should again go to the Tahsildars' Courts. In regard to ouster cases coming under clause 6 of Section 23 of Act X. of 1859, there was, however, some difficulty owing to questions of right having in many instances not yet been disposed of by the Settlement Officer, and I feared therefore lest there might be a conflict of opinion between his court and the ordinary District courts in such cases. I accordingly ordered that the Tahsildars should take up no cases falling under this clause, but at the same time I directed that they might dispose of ordinary ouster cases, in which no question of right was involved under Section 15 of Act XIV. of 1859, and these cases have accordingly increased the number of suits coming under this head in the past year."

[*Bilaspur District Report, para.* 10.] " Suits for immoveable property are increasing steadily as the figures in margin show, and the same may be said of suits to declare rights connected with immoveable property, which consist generally of suits for foreclosure, the number this year being 24 against two last year."

1871	...	23
1872	...	28
1873	...	63
1874	...	49

IV.—Description and Value (together) of Suits.

Relative value of the principal description of suits.

24. The table below shows the relative value of suits of the principal descriptions :—

Description of Suits.	No.	Percentage of suits not exceeding.				Suits above.	
		Rs. 5	Rs. 20	Rs. 100	Rs. 500	Rs. 500	Total.
On written obligation ...	39,271	4·1	33·3	50·0	11·2	1·4	100
On unwritten obligation ...	12,158	29·0	42·7	23·3	4·3	·7	100
For goods sold and delivered ...	9,317	43·5	39·9	14·5	1·9	·2	100
For moveable property or value thereof ...	6,540	16·3	36·9	37·1	8·6	1·1	100
Damages ...	1,894	17·0	34·3	37·8	10·1	·8	100
Immoveable property ...	2,501	18·4	26·9	33·0	15·7	6·0	100

The table has the same principal features which characterised the similar table given last year *i. e.*, the proportion of suits of small value is less in the case of bonds than in the case of debts on unwritten obligation and for goods sold and delivered* that the proportion of suits for damages not exceeding Rs. 20 in amount is very high and that suits for immoveable property are in a large proportion of very low nominal value.

*But there are comparatively few debts on unwritten obligation and still fewer for goods sold and delivered exceeding Rs. 100 in value

C.—The General Distribution and Result of Trial of Civil Suits by the Courts of Original Jurisdiction.

I.—Distribution.

25. The following table shows how suits disposed of were distributed among the different classes of Courts in the several districts :—

Total number of Judges.	8	16	50	32	19		
Districts.	Small Cause Courts.	Naib Tahsildars.	Tahsildars.	Assistant Commissioners.	Deputy Commissioners.	Commissioners' Courts.	Total.
Court of Commissioner Nagpur Division	...	...	...	...	...	2	2
Nagpur	8,967	1,414	3,776	1,586	21	...	15,764
Chanda	...	...	1,467	658	3	...	2,128
Bhandara	...	..	1,975	756	6	...	2,737
Wardha	...	3,816	1,768	1,352	28	...	6,964
Balaghat	..	..	480	891	16	...	1,387
Jubbulpore	2,919	487	1,311	309	19	...	5,045
Saugor	301	577	1,811	1,043	6	...	3,738
Damoh	...	..	1,414	364	10	...	1,788
Seoni	...	...	1,314	124	12	...	1,450
Mandla	...	...	566	127	1	...	694
Hoshangabad	...	1,261	4,360	1,827	20	...	7,468
Betul	...	287	2,160	493	21	...	2,961
Nimar	88	960	2,375	4,102	94	...	7,619
Narsinghpur	...	2,854	1,831	1,633	36	...	6,354
Chhindwara	...	406	2,890	469	18	...	3,783
Raipur	...	1,002	2,205	501	3	...	3,711
Sambalpur	...	...	1,312	13	19	...	1,344
Bilaspur	...	500	1,279	326	15	...	2,120
Upper Godavari	...	...	148	...	20	...	168
Total ... 1874 ...	12,275	13,564	34,442	16,574	368	2	77.225
Total ... 1873 ...	11,477	8,576	34,486	20,665	399	...	75.603
Percentage ... 1874 ...	15·9	17·6	44·6	21·4	·5	...	100
Percentage ... 1873 ...	15·2	11·4	45·6	27·3	·5	...	100
Percentage ... 1872 ...	15·8	12·4	31·7	397	·4	...	100
Percentage ... 1871 ...	15·	10·	34·	407	·3	...	100

The following table shows the proportions in which suits of the several grades of value were disposed of by the various classes of Judges :—

Judges		Registrars of Courts of Small Causes.	Judges of Courts of Small Causes.	Naib Tahsildars.	Tahsildars.	Assistant Commissioners.	Deputy Commissioners.	Total.	REMARKS.
Number of Judges.		2	6	16	50	32	19		
Salary of Judges.		Rs. 160 and 250.	*Rs. 700 to 1,128	Rs. 50 to 75.	Rs. 130 to 290.	Rs. 500 to 798.	From Rs. 1,000 to 1,833.		
Grades of value of Suits.	Total number of suits disposed of.	Percentage of suits disposed of before each class of Judge.							
Not exceeding Rupees 5	12,017	19·0	4·6	26·3	45·8	4·2	·1	100	* This includes the Judge Aizgarh Cantonment, who receives a Staff allowance of Rs. 200.
Do. " 20	27,314	12 8	5·5	24·3	48·3	9·0	·1	100	
Do. " 100	29,514	..	12·4	12·7	48·1	26·5	·3	100	
Do. " 500	7,244	...	10·2	...	21·6	67·3	·9	100	
Do. " 1,000	638	..	5·0	...	...	93·1	1·9	100	
Do. " 5,000	435	..	...	...	...	65·3	347	100	
Do. " 10,000	42	...	...	...	...	...	100	100	
Do. " 1,00,000	20	...	...	...	...	...	100	100	
Exceeding " 1,00,000	1	...	...	...	...	...	100	100	
All Grades ...	77,225	7·9	8·0	17·6	44·6	21·4	·5	100	

26. Last year in tables corresponding to the above, it was remarked that the downward tendency of business in the manner of its distribution could not, from a judicial point of view be approved, but that until the Civil judiciary be separated from the executive, improvement seemed impossible, and that meantime the shifting of Civil judicial duty from the Courts of the Assistant Commissioner, to Courts of the Tahsildar, by reason of the abandonment of the single Court system under Chief Commissioner's Book Circular No. II. of 1873, must apparently be succeeded by a further shifting of it from Courts of the Tahsildars to Naib Tahsildars.

In 1874 additional business measurable by an increase of 4,839 suits disposed of was transferred from the Courts of the Tahsildar and Naib Tahsildars, a corresponding amount of business being further shifted from Courts of the Assistant Commissioner to the Courts of the Tahsildar. In 1871 Courts of the Assistant Commissioner disposed of 40·7 and Naib Tahsildars 10· per cent of all suits. In 1874 the Courts of the Assistant Commissioner disposed of little more than half; Naib Tahsildars nearly double the amount of business they disposed of in 1871.

Remarks on the distribution of business.

27. As the Chief Commissioner knows, the distribution of business is almost entirely in the hands of Deputy Commissioners, but the Judicial Commissioner was

enabled during the year to influence it in some degree in respect of suits of those classes* which involve issues of greater difficulty and whose consequences have a special significance and importance. With the approval of the Chief Commissioner it was pointed out to Deputy Commissioners† that suits of these classes should be distributed with some degree of exclusiveness to Courts of the higher grades or to Courts presided in by specially qualified Judges rather than promiscuously to all Courts with reference to nominal value and locality, and the direction thus conveyed has been to a considerable extent followed by Deputy Commissioners during the year. The subject is noticed in the reports, and seems generally to have found favor with the judiciary. In some instances commendation of the measure is qualified, the comparative inaccessibility of Courts of the higher grades being adverted to in conjunction with the small nominal value of some of the suits in question. The Judicial Commissioner, however, thinks that in the new method of distributing these suits advantage preponderates, for suits of these classes of small nominal value involve specially difficult issues as frequently as suits of the same classes of comparatively higher values.

* For immoveable property.
For specific performance of contract.
To declare and establish rights to real property including pre-emption, foreclosure &c.
To declare and establish personal rights.
For an account.
Relating to religous endowments.
To set aside judgments, contracts or obligations on the ground of fraud.
For dissolution of marriage.
For enforcement of matrimonial rights.
For partition.
Relating to religion and caste.

† This Office Circular XIV. of 22nd April 1874.

II.—Results of Trial.

28. The general results of the trial of the 77,225 suits disposed of were :—

	Number of suits.	Proportion per cent.	Corresponding proportion per cent. in 1873.
Plaints rejected or returned	538	·6	·5
Transferred to other districts or Small Cause Court jurisdiction	1		
Disposed of without Contest.			
Decreed on confession	20,692	26·8	25·4
Dismissed for default	13,809	17·9	19·5
Compromised	11,506	14·9	14·9
Decreed *ex parte*	8,952	11·6	11 7
Withdrawn with leave	934	1·3	1 3
Dismissed *ex parte*	371	·5	·5
Total uncontested ...	56,264	73·0	73·3
Contested and Judgment given for.			
Plaintiff in whole	8,743	11·3	11 2
Do. in part	6,423	8·3	8·4
Defendant in whole	5,256	6·8	6 9
Total contested ..	20,422	26·4	26·2

29. The proportions of decrees on confession are seen (Statement III.) to be highest in the Courts of the Bhandara, Betul, Nimar and Sambalpur districts. In one Court of the Bhandara district—at Sakoli—the proportion amounted to 48 per cent of all disposals, and has called forth an expression of some anxiety on the part of the Deputy Commissioner.

Manner of disposal of business.

In the Betul District the proportion was as high as 47 per cent in the Naib-Tahsildar's Court at Multai.

The Deputy Commissioner of Nimar refers to the matter in the following terms :—

[*Nimar District Report, paras.* 31—36.] " In looking at the manner in which suits have been disposed of in the past year as compared with 1873, it becomes apparent that whilst those (*a*) dismissed in default, and (*b*) compromised, have remained proportionately much the same, there has been a marked increase in (*c*) confession, and a corresponding decrease in (*d*) decreed *ex parte*, and (*e*) contested suits; and it is further remarkable that these variations have been to the greatest degree in the lower courts and in petty suits.

" There is a reason for this, which is that the cause referred to last year by Mr. Nedham, and which I adopted for the whole district, has only been amplified and therefore has had a greater and more extended effect. Last year the cause named affected only the *ex parte* cases, whilst now I have to record a change in confessions and in contested suits.

" This cause is that the procedure under Section 194, Civil Procedure Code, is now bearing fruit and is appreciated by more particularly the poorer class of defendants, who are now beginning to look on our courts, not with dread as before or as a machinery which was all in favour of plaintiffs, but as an institution in which they feel they will be protected from their creditors and (which is not of less importance) against themselves.

" In the Khandwa, Tahsil Court, the increase in confession has been 25·1 per cent, and the decrease in contested plus *ex parte* 14·6, whilst for the whole district, the figures are 10·0 and 10·5.

" Before the provisions of Section 194 were put in force, a wretched debtor generally of the cultivating class, when summoned by his creditor before the Civil Court, only saw before him one of three courses, either (1) to come to terms out of court and stave off a final reckoning by a temporary concession, or (2) to absent himself when summoned, in which case an *ex parte* decree was given, or (3) to go into court and on the chance of his creditor not being able to prove the whole or part of his claim, contest it. He *thought* that if contested in the course of events, the claim *might* be disallowed, but he *knew* that if he confessed, general execution followed, and he was at the mercy of his judgment-creditor. It but too often happened that the creditor showed no mercy, and rather than have his property attached and sold, when, though intrinsically worth double or treble the amount of the decree, it would possibly not cover his debt, the unfortunate man either gave a fresh bond at ruinous interest, or taking his worldly goods before they could be seized quietly decamped into Holkar's territory, where he was beyond the reach of his creditor.

" But now under the same circumstances as to his debt, the debtor takes a more determined and straightforward course. He now knows that if he can show good grounds the court will so adjust the burden of his debt to his back that he will be able to bear it and not succumb as before. There is therefore no longer the same necessity for his avoiding the court when summoned or contesting a claim to which he knows he is liable and thus whilst the ratio of contested suits diminish, so does that of *ex-parte* decrees whilst the proportionate confessions increase," but as is remarked

by the Commissioner Narbada Division in his report "while there seems to be a good deal of truth in all this, it is yet almost difficult to believe that the knowledge of the changes in Civil Court procedure referred to can in two years have become quite so widely known as the Deputy Commissioner thinks amongst so miscellaneous a body as debtors in general. On the other hand, creditor plaintiffs are not so numerous or so heterogeneous a body, and their knowledge should appear (and does appear) in diminution of litigation generally during the past two years."

Also while a display of readiness to decree payment by instalments might sometimes lead a few debtors who would otherwise falsely deny a petty claim at once to confess it, yet as greater thoroughness of investigation would, it is believed, in a far greater number of instances throw claims at first met by a general confession into contest, so while a shifting of defaults into confessions *may*, a diminished proportion of contests *cannot* be accepted on the ground taken up by the Deputy Commissioner, as satisfactory. The proportion of contests in the Nimar district fell from 26·7 in 1873 to 19·6 in 1874; orders for payment by instalments increased from 884 on a larger number of decrees in 1873 to 1,343 on a smaller number of decrees, and decrees on confession rose from 25 per cent in 1873 to 35 per cent in 1874. Looking to this and to the remarks of the Deputy Commissioner above quoted, there does seem ground for the apprehension that the Courts in Nimar may have found in Section 194, Code of Civil Procedure, a means of averting contest not only in cases where the whole claim was just, but also in cases where more thorough investigation would have led to an exposure of the badness of a portion of the claim through contest. This method is new. It may often amount to a confession satisfactory enough to the parties, and it would doubtless conduce to the comfort of the Court. But it cannot be commended. And judged statistically, the outturn of the Nimar Courts would have borne a more favourable aspect, had contests retained their former proportion and not been substituted to the extent they have been by confessions. The Deputy Commissioner has been addressed in this sense.

Uncontested Suits.

30. The proportion of decrees on confession was lowest in the Mandla, Jubbulpore and Seoni districts. Even in the Court of Small Causes at Jubbulpore, the proportion was only 12·8 per cent, and here it may be remarked in continuation of what has been said above on the Nimar Courts, that the Jubbulpore Court of Small Causes shows this small proportion of decrees on confession side by side with a very small proportion of *ex parte* decrees, although it did not neglect to order payment by instalments in proper cases, the difference being shown in a high proportion of contested suits.

Dismissed in default.

31. Suits were dismissed in default in highest proportion in the Mandla, Bilaspur, Balaghat and Hoshangabad districts, and in the Court of Small Causes, Jubbulpore.

On this point the Deputy Commissioner of Balaghat has the following note :—

[*Balaghat District Report, para*, 20.] "It will be seen that though there is an increase under the head 'dismissed for default,' there were no indiscriminate dismissals. I have reason to believe that parties came to mutual agreement *outside* the Court. For there is a decrease under the head 'compromised.' And my belief is further strengthened by the fact of the decrease under the head 're-instituted.' Nay, in many instances it has been noticed that parties were present in the compound settling between themselves, and when called out in the court, did not attend and went away, and on making inquiries of the cause of their going away, the courts learnt that the parties had come to a mutual agreement."

Defaults by plaintiffs were fewest in the Courts of the Betul and Saugor districts, as well as in the Courts of Small Causes at Kamthi and Jubbulpore Cantonment.

Compromised.

32. Suits were compromised in largest proportions in the—

Small Cause Court, Nagpur	...	[23·5 per cent]	and the
Courts of the Mandla	...	[19·2 „]	and
Nagpur	...	[18·8 „]	districts; and in smallest proportions in the
Cantonment Small Cause Court, Jubbulpore	...	[7·9 „]	
Court of Small Causes, Jubbulpore.		[9·5 „]	as well as in the Courts of the
Balaghat	...	[8·4 „]	
Hoshangabad	...	[11·3 „]	
Nagpur	...	[11·2 „]	
Nimar	...	[9 6 „]	
Sambalpur	...	[8·1 „]	districts.

The Deputy Commissioner of Nagpur writes :—

[*Nagpur District Report, para.* 28.] "The proportion of suits compromised rose from 17·8 per cent in 1873 to 18·8 per cent in 1874,—are an unfavorable feature of the year's work, because most of these compromises probably placed the debtor in a worse position than that he would have occupied, had a decree issued.

"The highest proportions were in the Katol courts, where the percentages were

Tahsildar	...	...	30·9
Naib Tahsildar	...	...	30·6

And in the Ramtek courts also the proportion was excessive."

The Deputy Commissioner of Hoshangabad writes :—

[*Hoshangabad District Report, para.* 35.] "In column 13, I show 844 cases compromised or 11·3 per cent. The percentage is the same as last year, but it is not high; and as I consider that in the interests of debtors decrees are much more favourable than compromises, as these almost always consist of renewal of bonds on terms more unfavourable to the debtors than a decree of court would be, I am glad to believe that the courts afford no undue encouragement to the cases being thus settled. But the matter is one in which the courts have no real option if the compromises are made without undue encouragement, and the cases may of course be many where some encouragement would be healthy."

Ex parte.

33. In regard to decrees *ex parte*, the following may be quoted :—

[*Hoshangabad District Report, para.* 37.] "The number of *ex parte* cases is 1,425 or 19 per cent; and though somewhat lower than last year, when it was 19·9 per cent, is still above the provincial average.

"But this is very probably due to the great bulk of our suits being on written obligation. It is not to be doubted that in very many of these cases where no payments have been made and where notice of the suit being threatened has been sent to defendants they do not care to be at the trouble of attending the court, and having no object in doing so intentionally absent themselves. I have every reason to believe that none of the courts proceed to decide a case *ex parte* until they have been satisfied that the summons on defendants was duly served, and in execution cases the plea that defendant never had notice of the suit is very rare.

"Although therefore my percentage is above that for the Province, I have reason to think the courts are careful in their procedure and this is supported by the fact that some of the most careful of the officers show the worst results."

[*Sambalpur District Report, para.* 23.] "The proportion of *ex parte* decisions in the court of the Tahsildar of Bargarh, is also high, and this I think is probably due to the fact that during the early part of the year, very few decrees for payment by instalments were passed in this court, and debtors accordingly did not care to come up to answer valid claims against them. The Tahsildar of Bargarh, having been for the previous two years employed in the Settlement, was not acquainted with the instructions which had been conveyed with regard to this subject, and accordingly did not think of passing such decrees when he first rejoined his appointment. Subsequently however his attention was directed thereto, and in the latter part of the year his procedure was much better,"

Certainly under the best Court practice we should expect a movement from the "*ex parte*" heading into that of "confession," and again from "confession" to "contested." The Courts showing the smallest proportions of *ex parte* decrees, are the Courts of the Chanda District. [7·2 per cent.]

Bilaspur	„	[7·8 „]
Sambalpur	„	[8· „]
Chhindwara	„	[8 1 „]
Raipur	„	[8·7 „]
Betul	„	[9 6 „]

And the Courts of Small Causes

at Kamthi	...	[1·8 „]
Saugor Cantonment	...	[3· „]
Jubbulpore Cantonment	...	[7·9 „]

34. The following table shows the proportions of contested suits in districts and Courts of Small Causes for 1873 and 1874 :—

Contested suits.

Districts and Small Cause Courts.		1873.	1874.
Nagpur ...	...	24·9	23·3
Principal Court of Small Causes, Nagpur	...	22·5	23·5
Court of Small Causes, Kamthi Cantonment	...	23·0	19·1
Chanda ..	...	27·5	29·9
Bhandara ..	..	28·4	21·2
Wardha ...	..	22 0	25·3
Balaghat ...	...	21·1	26·3
Jubbulpore ...	...	29·5	39·2
Principal Court of Small Causes, Jubbulpore	..	47·7	41·7
Court of Small Causes, Jubbulpore Cantonment	...	56·5	34·6
Saugor ..	..	27·4	28·7
Court of Small Causes, Saugor Cantonment	...	31·8	29·2
Damoh ...	..	29·6	27·4
Seoni ..	...	32·0	33·7
Mandla ..	...	26·9	30·5
Hoshangabad ...	..	23·7	25·3
Betul ..	...	23·5	27·4
Narsinghpur ..	...	24·5	28·6
Chhindwara ...	...	22·5	28·7
Nimar ...	...	26·7	19 6
Court of Small Causes, Assirgarh Cantonment	..	21·7	17·0
Raipur ...	..	32·0	27·5
Sambalpur ...	..	29 6	33·4
Bilaspur ...	...	28·2	29·4
Upper Godavari ...	...	28 9	17 8
Total	...	26·2	26·4

In 1872 the percentage of contested cases stood at 23·4, in 1873 its rise to 26·2 was deemed a source of satisfaction, and in 1874 this higher percentage has been maintained. This percentage must however still be deemed too low. The Judicial Commissioner cannot now doubt that if business did not press so heavily on presiding judges, and if they were to make due enquiry into the reality and meaning of the vaguer and more careless confessions made before them, a further proportion of suits of the kind which are now decided on confession and *ex parte* would be contested.

The following are the more suggestive of the local reports on the subject :—

[*Chanda District Report, paras.* 38—44.] "The following table will show the result of contested cases :—

Judge.	Court and locality.	Suits disposed of.	Suits contested.	Percentage of suits contested.
Gungadhar Malhar ...	Tahsildar Mul ...	3	1	33·3
Narain Rao ...	Ditto ...	237	85	35·9
Sakharam Mahipat ...	Ditto ...	50	15	30·
Madho Rao Juggunnath	Tahsildar, Bramhapuri ...	125	65	52·
Sakharam Mahipat ...	Ditto ...	225	43	19·1
Narain Rao ...	Ditto ...	68	20	29·4
Sakharam Mahiput ...	Tahsildar, Warora ...	403	59	14·6
Madho Rao Juggunnath	Ditto ...	356	159	44·7
Mr. Gur Pershad ...	Assistant Commissioner, Chanda	653	185	28·3
Mr. Ahfad Hussein ...	Ditto ...	2	2	100·
Mr. T. Drysdale ...	Ditto ...	3	1	33·3
Major Glasfurd ...	Deputy Commissioner, Chanda	3	2	66·7
	Total ...	2,128	637	29·9

"The provincial average of contested cases was last year 26 per cent, and in only two of the Chanda courts was the percentage under this during the past year. Both these courts were presided over by Tahsildar Sakharam Mahipat, and the results under this heading are quite as unfavourable as under 'decreed on confession.'

"While this Tahsildar was at Warora, the percentage was as low as 14, but when another Tahsildar took his place, it rose to 44.

"Similarly at Bramhapuri, where the percentage was 52 before Sakharam Mahipat's arrival, it fell to 19 during his incumbency. At Mul, however, the effect of the warnings this Tahsildar received is observable; his percentage, though lower than that of his predecessor, having risen to 30. In all other courts the results seem good.

"The general results in contested suits compare as follows with the provincial results of 1873 :—

	No. of suits.	Percentage of total contested suits. District 1874.	Provincial 1873.
Judgment for plaintiff in full ...	268	42·2	42·7
Ditto ditto in part ...	219	34·3	32·1
Ditto for defendant in full ...	150	23·5	25·2
Total ...	637	100·	100·

" Remarkable differences are observable in the results of suits contested before different judges thus :—

Judge.	Locality.	Total suits contested.	Percentage of contested suits decided for		
			Plaintiff in full.	Plaintiff in part.	Defendant in whole.
Gungadhar, Malhar ...	Tahsildar Mul ...	1	...	100·	...
Narain Rao ...	Ditto ..	85	11·7	58·8	29·5
Sakharam Mahipat ...	Ditto ...	15	73·4	13·3	13·3
Madho Rao Juggunnath	Tahsildar, Bramhapuri ...	65	50·8	21·5	27·7
Sakharam Mahipat ...	Ditto ...	43	65·1	18·6	16·3
Narain Rao ...	Ditto ..	20	20·	45·	35·
Sakharam Mahipat ...	Tahsildar, Warora, ...	59	54·2	15·3	30·5
Madho Rao Juggunnath	Ditto ...	159	50·3	28·9	20·8
Mr. Gur Pershad ...	Assistant Commissioner, Chanda ...	185	37·8	42·2	20·
Mr Ahfad Hussein ...	Ditto ...	2	...	50·	50·
Mr. T. Drysdale ..	Ditto ...	1	...	...	100·
Major Glassfurd ...	Deputy Commissioner, Chanda ...	2	...	50·	50·
	Total ...	637	42·1	34·4	23·5

" Judging from the figures it would seem that Mr. Gur Pershad and Narain Rao Tahsildar have a tendency to grant decrees to plaintiffs in part, and that Tahsildars Sakharam Mahipat and Madho Rao Juggunnath are inclined to grant decrees to plaintiff in full. From my own knowledge of these officers I should have expected to have seen Narain Rao and Madho Rao Juggunnath change places."

[*Saugor District Report, paras.* 46—50, 53.] " The average number of contested cases has slightly risen from last year, from 27·4 to 28·7 per cent. It is above the average taking all the courts together of the Province, but when the records of each court are examined the differences are so striking and unexpected that I am utterly unable to reconcile them in any way.

' Thus at Rehli when Mehdi Hussein was Judge, contested suits formed 39·2 per cent of the whole of those of which he disposed. With Amir Khan as Judge, the percentage was all but the same, 40·2 per cent. At Banda, however, where the latter was Tahsildar for the early part of the year, the percentage was only 24·5, but when relieved by Mehdi Hussein, it rose to 50 per cent.

' There are no grounds for holding, as far at least as have come to my knowledge, that these two Tahsildars acted in a similar manner when in charge at Rehli, but diverged entirely when they presided at Banda.

The only safe theory I would suggest is, that there is a run at times of one particular class of cases followed by a succession having quite a different tendency.

" The two courts in which there appears to have been the smallest number of contested cases are those in which (if we except the Station Court) the largest amount of work was got through, viz., those presided over by the Tahsildar of Khorai and Saugor.

"The detail of the manner in which contested suits were decided appears from the table in the margin. The tendency is decidedly to favour plaintiffs, but until I am better acquainted with the work of each judge, I cannot venture to offer an opinion whether there is anything partial in this tendency."

Name of Court.	Judgment in favor of plaintiff in whole.	Judgment in favor of plaintiff in part.	Judgment in favor of defendant.
Deputy Commissioner ...	66·6	33·3	..
Assistant Commissioner, 1st Class ..	46·4	32·1	21·4
Do do 2nd Class, Station Court. ..	60·9	21·8	17·2
Tahsildar Takhat Sing, Khurai ..	72·8	8·6	18·4
" Mehdi Hussein, Rehli ..	45 3	28·1	26·5
" Amir Khan, " ...	44·4	29·6	25·9
" Abdul Majid, Saugor ..	62·3	8·8	18·8
" Amir Khan, Banda ...	24·1	38·7	37·
" Mehdi Hussein ...	40·	28·	32·
Naib Tahsildar Zahur-ul Hussein, Rehli ..	58·4	25·1	16·4
Total ..	56·4	23·2	28·2

[*Damoh District Report, paras.* 53—55.] "In my court and the Station Court the results are favourable, and require no special notice. The increase in number of contested cases is perhaps due in a measure to the large proportion of suits for immoveable property, which are almost all contested.

"The decrease in the number of contested cases in the Damoh Tahsili Court, is due chiefly to the careless procedure and to the utter neglect of all the Judicial Commissioner's instructions, with regard to award of costs and payments of instalments, &c. The Tahsildar was constantly admonished about his irregularities by me, and the Judicial Commissioner also issued orders for a special watch over his procedure.

" * * work shows better, but it is not better than the work of the court last year. He cannot however be blamed, as the work left him by * * was the chief cause of the unfavourable results shown.

"In the Hatta Court the percentage is better this year, being only 21·4 against 18· in the previous year. This is satisfactory, and is due to the close supervision which has been maintained month by month on the procedure of the Court."

[*Narbada Division Report, para.* 21.] "It is noteworthy of contested suits decided, only 66·2 per cent in Chhindwara, and 67·6 per cent in Betul were given either wholly or partly in favour of plaintiffs, a result which may perhaps be partly due to local money-lenders and others being here more hopeful of success with unjust claims than in districts where borrowers are less simple. If this be so, the local courts would seem to be doing something towards dealing with such claims according to their merits. The proportion of wholly or partly successful plaintiffs in suits decided in the other districts was in—

Hoshangabad ...	74·2
Narsinghpur	77 6
and in Nimar	78·9

in which last district (so far as court practice shows) civil debtors would seem to need the court's protection more in equitable adjustment of real claims than in resisting false ones."

[*Bilaspur District Report, para.* 15.] "Of the whole number of suits disposed of, 29·5 per cent were contested, which is a fair number, considering that the greater portion of the litigation is of a petty nature involving no difficult points. As may be expected, the largest proportion of contested suits is in the higher courts, and this more especially since the issue of instructions under Circular XIV of 1874. There were 625 contested suits, out of which in only 199 were the plaintiffs entirely successful, and in 230 the defendants were entirely successful. The small

number in which plaintiffs are altogether successful is probably owing to the courts refusing to give interest at the exorbitant rates which ignorant peasants agree to, but it is not easy to account for so many suits being brought which fail altogether, and it would require a careful examination of the proceedings to enable one to give an opinion. It may be that cases are dismissed because witnesses are not produced on the day fixed, and from the wording of Section 148 of the Civil Procedure Code it would appear that it is compulsory in the court to proceed to a decision at once when such default occurs after time has been granted for the production of witnesses."

Decision on oath of party or witness.

35. It will be seen from column 40 of Statement III., that decision was made on the oath of party or witnesses under Sections 9 to 11 of the Oath's Act in 768 instances during the year as against 363 in 1373. In the Nimar Courts 208 and in the Court of Small Causes, Nagpur, 137 decisions were thus given.

Costs on Plaintiffs.

36. In 4,251 suits costs were awarded against a winning plaintiff. In 1873, costs were similarly awarded against a winning plaintiff in 4,026 suits. The following table exhibits the Courts in which awards were most frequent during 1874:—

	Total number of suits decreed on confession, *exparte*, and contested and disposed of by judgment for plaintiff in whole or in part.	Number of suits disposed of in which costs in part or whole were decreed against a winning plaintiff.
Principal Court of Small Causes, Nagpur ...	3,376	489
Wardha	4,014	362
Principal Court of Small Causes, Jubbulpore ...	1,304	468
Saugor	2,121	303
Damoh	952	225
Hoshangabad	4,358	436
Narsinghpur	3,898	263
Nimar	4,947	248

On this subject the following extracts from the local reports are made;—

[*Nagpur District Report, para.* 40.] "The percentage of suits in which costs were decreed against a winning plaintiff was 2·2, against 5·3 in 1873,—a decrease chiefly caused by this, that in 1873 the Tahsildar of Nagpur incorrectly decreed such costs in many cases. During the year under report the Tahsildars seem to have exercised the discretion allowed them in the matter, but the Station Courts have very rarely used the power, and the omission is to be regretted."

[*Kamthi Cantonment Small Cause Court Report, para.* 32.] "Under the head of award of costs against successful plaintiffs there is an increase of 48, being 186 in 1874, against 138 in 1873. The increase appears to be proportionate to the decrees passed this year. Defendants themselves have sometimes shown an inclination to plead non-liability to costs, on the grounds which proved insufficient to admit their plea; plaintiffs have also been found to be perfectly ready to refute defendants' objection in this respect."

[*Saugor District Report, paras.* 55, 56.] "The recent orders with reference to discrimination in awarding costs, especially in cases of confession, have been observed. The Judge of the Station Court and the Tahsildar of Khurai, have been especially

careful, except that I should like to have seen a more general disallowance of Pleaders' fees; their employment, particularly in the trivial kind of suits which are filed in Tahsil Courts, is generally unnecessary.

"Then again the Tahsildar of Saugor, Abdul Majid, has failed in realizing the importance of the subject, and in a less degree the Naib Tahsildar of Rehli."

[*Hoshangabad District Report, para* 41.] "In 436 cases as against 122 in 1873, the costs of a successful plaintiff were disallowed. The number of 436 cases may seem very high, but it is one of the general causes assigned by me which should create a tendency to a decrease of suits. I am inclined to fear the action may have been overstrained though not traceable in any decrease of suits generally, but still probably most of these are cases where the plaintiff had given no notice of his intention to sue."

Payment by instalments.

37. In 6,611 suits the amount decreed was ordered to be paid by instalments. The Courts in which such orders were most frequently passed are tabulated as follows:—

	Number of suits decreed on confession, *ex parte*, contested and disposed of by judgment for plaintiff in whole or in part	Number of suits in which payment by instalments was decreed.
Nimar	4,947	1,343
Hoshangabad	4,358	527
Narsinghpur	3,898	469
Chhindwara	1,878	471
Kamthi Small Cause Court ...	2,016	786

On this subject the following extracts from the local reports are made:—

[*Kamthi Cantonment Small Cause Court Report, para.* 33.] "786 suits were decreed as payable by instalments in 1874, whereas 660 suits were so decreed in 1873. The increase is in no way excessive; there is seldom an objection raised by plaintiffs as regards such decrees, as owing to the circumstances of their debtors, which are sufficiently known to them, punctual recovery of the debt though by small monthly instalments is all they really wish, and thus both appreciate the nature of the decision. The debtors who freely confess a plaintiff's claim do not lose an opportunity of moving the Court so as to obtain an order to pay the debts monthly."

The circumstances of the litigation at Kamthi, however, are in respect of a large proportion of suits of an exceptional character.

[*Chanda District Report, para* 59.] "Excepting in my own court the proportion of cases in which payment by instalments was decreed was highest in the court of Sakaram Mahiput at Mul in the last quarter of the year, and it was lowest in the same official's court while he was at Warora. This shows that Shakaram Mahiput has benefitted by the instructions issued to him from time to time respecting his procedure. It seems now almost necessary to caution him against granting payment by instalments too frequently."

[*Saugor District Report, para.* 57.] "Orders for payment of decrees by instalments have fallen from 230 to 157. The result, I am informed of the instructions issued last year on the discovery that they had been directed in an arbitrary manner. Still the number seems small, and I imagine many a bond bearing on its face a comparatively recent date is in reality only a document renewing an ancestral debt, and the payment on which therefore should be arranged for by instalments quite as much as bonds which admit the debt to be an old one. As far as I can judge, the courts now always give their reasons for adopting this mode of execution of decree, and hence there is no probability of its injudicious adoption. No more frequent employment in the court of the Tahsildar of Khurai would have been proper."

[*Mandla District Report, paras.* 19, 22.] "Payment by instalments was decreed in 29 cases in 1874 against 53 in 1873.

"This evidence of increased care in the exercise of the discretionary power given to the courts in this respect is, I think, satisfactory, as a lavish exercise of it would be a great temptation to debtors to try their chance of getting easier terms in court than they could fairly claim out of court."

[*Hoshangabad District Report, para.* 42.] "Columns 14, 15, 17 and 18 show that altogether 4,458 decrees issued, and with reference to column 33 I am scarcely disposed to think that in 527 of these or nearly 12 per cent awards by instalments should have been given. The statement leads me to the inference that this provision of the Law has been overdone, and that many reasons must have actuated the courts which in law would not have been valid. Against such awards I have had comparatively few appeals, only 13. In 5 the orders were upheld. in 5 modified, in 3 reversed. All courts were specially addressed by me on the subject in May and June, but I fear that pressing the use of a section on courts generally often leads to its use and abuse, and when the abuse is pointed out they are apt to omit the use."

These and other remarks in the reports give hope that although some judges still work as it were in a groove which leads them to extremes in matters, where under the exercise of proper discrimination extremes would be avoided, yet these instances are fewer than they were and will be still fewer hereafter.

Duration of Suits.

38. The average duration was 26·1 days in contested suits, and 17·9 days in uncontested suits. This compares favourably, though only slightly so, with results obtained in 1873, the average duration in that year being 21·1 days in contested and 19·4 days in uncontested suits.

Excepting the Courts of Small Causes, the shortest averages of contested cases are shown by the Courts in the Hoshangabad, Mandla, and Nimar districts.

Hoshangabad affords an instance of what can be done to reduce the more excessive durations when the matter is duly attended to, the average duration of contested cases in Courts of that district having been 32 days in 1873 and 20 days in 1874.

Elsewhere, especially in the Nagpur, Chanda, Jubbulpore, Seoni and Narsinghpur districts, where the durations have increased without due cause, the Judicial Commissioner looks for much improvement.

Suits pending

39. The number of suits pending at the close of the year was 2,009, and calls for no special remark.

D.—The Appellate Business.

Appeals to Commissioners and Deputy Commissioners

40. Appeals from decrees and orders of original Courts increased to 3,430 as compared with 3,172 in 1873, thus:—

	Appeals instituted in 1873.	1874.
Courts of Commissioners ..	723	619
Courts of Deputy Commissioners and Court of an Assistant Commissioner at Nagpur, with special power under Section 16, Act XIV of 1865.	2,449	2,811
Total ...	3,172	3,430

The following table gives the details :—

	Courts of Deputy Commissioners.		Courts of Commissioners.	
	1873.	1874.	1873.	1874.
A.—Appeals from decrees of Civil Courts ..	2,282	2,592	465	337
B.—Ditto ditto orders ...	167	219	87	78
C.—Appeals to Civil Courts under the Rent Law ...	...	...	171	204
Total ..	2,449	2,811	723	619

The shifting of the stress of appellate business from the Courts of the Commissioner to the Courts of the Deputy Commissioner and its consequent increase in the latter Courts was remarked on last year and has taken place to a further extent in the year under report. Appellate business pressed more heavily on the Courts of Deputy Commissioners of the Nagpur, Wardha, Hoshangabad, Narsinghpur, and Saugor districts, and the institutions in the past years are indicated by the following table :—

		No. of appeals instituted. 1872	1873	1874
Court of Deputy Commissioner,	Nagpur ..	159	207	207
Do.	Wardha ...	139	232	362
Do.	Hoshangabad	86	340	352
Do.	Narsinghpur ...	114	279	360
Do.	Saugor ...	53	107	184

Similarly the decrease in the Commissioners' appellate business is indicated by the following table :—

Courts.	Number of Civil Appeals &c.		
	1872	1873	1874
Commissioner, Nagpur Division ..	162	165	123
do. Jubbulpore do. ..	534	209	237
do. Narbada do. ..	345	265	185
do. Chhattisgarh do. ...	133	84	74
Total ...	1,174	723	619

41. The accumulation of appeals in the Court of the Deputy Commissioner, Nagpur, during the past year necessitated the investiture of a special officer with the powers of a Deputy Commissioner in the Nagpur District under Section 16, Act XIV of 1865. This officer when invested on the 16th November received 106 *appeals for disposal, and 5 more were instituted before the end of the year. Of the whole 111, Captain Macdougall by working during the December vacation disposed of 96, and so cleared the file of all arrears, the accumulation in which had greatly inconvenienced the public.

Accumulation in Court of Deputy Commissioner, Nagpur

* Including one miscellaneous appeal.

The following extracts from local reports are here given :—

[*Nagpur Division Report, para.* 21.] "The appellate business is not heavy in Bhandara, Chanda and Balaghat. At Wardha it is very heavy, much heavier in fact than at Nagpur, but nevertheless Colonel Magniac has managed to cope with it very effectively."

[*Hoshangabad District Report, para.* 44.] "In last year's report as I found I had from August to November inclusive 193 appeals or at the rate of 579 per annum, I rather hastily assumed my number for this year might be as high as 600, but the statement shows I was wrong. Many of these are extremely simple in themselves, but still considering the number of working days in the year and the work of a heavy district, I am bound to record that more of my time has to be devoted to purely judicial work than for the general administration of the district I might think advisable."

Proportion of appeals to contested suits.

42. The following table shows the proportion of appeals (from decrees only) to contested suits.

Division.	Courts of Commissioners and Deputy Commissioners.					
	Number contested &c.		Number of Appeals.		Percentage of Appeals.	
	1873.	1874.	1873.	1874.	1873.	1874.
Nagpur ...	4,563	4,955	666	846	14·6	17·
Jubbulpore ...	2,719	3,013	518	641	19·	21·2
Narbada ...	7,405	7,085	1,240	1,120	16·7	15·8
Chhattisgarh ...	1,855	2,097	323	322	17·4	15·3
Total ...	16,542	17,150	2,747	2.929	16·6	17·1

The ratio of appeals to contested suits is thus shown to have increased in the Courts of the Commissioners, Nagpur and Jubbulpore.

It is remarkable that the proportion of appeals in the Narbada Division as compared with the number of contested suits, heretofore lower than in the Jubbulpore Division, has this year fallen even lower.

Disposal of Appeals.

43. The following table shows how appeals were disposed of (otherwise than by transfer) :—

	Dismissed for default.		Remanded for retrial.		Decree of Lower Court.						Total disposed of otherwise than by dismissal for default.
					Modified.		Reversed.		Confirmed.		
	No.	Percentage of total appeals disposed of.	No.	Percentage on column 12.	No.	Percentage on column 12.	No.	Percentage on column 12.	No.	Percentage on column 12.	
1	2	3	4	5	6	7	8	9	10	11	12
Court of the Judicial Commissioner.	...	...	...	...	...	...	1	100	...	...	1
Courts of the Commissioners											
Nagpur	12	9·	28	21·5	14	11·	28	21·5	48	37·0	130
Jubbulpore	7	3·	19	8·7	31	14·2	34	15·5	128	58·6	219
Narbada	22	19·	20	16·9	4	3·3	12	10·1	60	50·7	118
Chhattisgarh.	3	4·	1	1·4	3	4·1	14	18·9	53	71·6	74
Total... ...	44	8·	68	12·6	52	9·6	88	16·3	289	53·5	541
Courts of the Deputy Commissioners											
Nagpur and of Assistant Commissioner with powers of a Deputy Commissioner.	37	16	34	17·8	16	8·4	54	28·3	87	45·5	228
Chanda	7	10	5	8·0	10	16·	12	19·6	35	56·4	69
Bhandara...	8	7	4	3·9	7	6·8	17	16·5	75	72·8	111
Wardha	34	10	43	13·3	48	14·8	58	17·9	175	54·0	358
Balaghat	2	3	16	25·4	5	8·0	12	19·0	30	47·6	65
Jubbulpore...	8	5	12	7·6	6	3·8	38	24·1	102	64·5	166
Saugor	11	6	13	7·6	11	6·4	27	15·8	120	70·2	182
Damoh	2	2	20	22·0	2	2·2	17	18·7	52	57·1	93
Seoni	11	11	5	5·5	8	8·8	21	23·1	57	62·6	102
Mandla	...	...	3	10·0	1	3·3	6	20·0	20	66·7	30
Hoshangabad	34	9	40	11·9	22	6·6	82	24·4	192	57·1	370
Betul	9	5	8	5·2	17	11·0	20	13·0	109	70·8	163
Narsinghpur	16	5	56	16·2	22	6·4	60	17·4	207	60·0	361
Chhindwara	29	20	5	4·1	24	20·0	24	20·0	67	55·9	149
Nimar	8	7	11	10·1	16	14·7	15	13·8	67	61·4	117
Raipur	9	6	17	11·9	9	6·3	19	13·3	98	68·5	152
Sambalpur	7	15	8	20·5	...	...	8	20·5	23	59·0	46
Bilaspur.....	12	11	6	6·1	11	11·2	20	20·4	61	62·3	110
Upper Godavari	1	50	...	...	...	...	1	100	...	...	2
Total.. ...	245	9	306	11·7	235	8·9	511	19·5	1,577	59·9	2,874
Total for all Courts. ...	289	8	374	11·	287	8·	600	18·	1,866	55·	3,416

Defaults.

Defaults are proportionately most numerous in the Courts of the Deputy Commissioners Chhindwara, Nagpur and Sambalpur, and in the Court of the Commissioner, Narbada Division. No explanation is offered by the Deputy Commissioners Chhindwara and Nagpur, but in Nagpur at least it is to be feared that the delay in disposal of appellate business which necessitated the appointment of a special appellate Judge may have had something to do with the comparatively high percentage of defaults. The Deputy Commissioner, Sambalpur, gives the following explanation of the dismissals for default in his own Court.

[*Sambalpur District Report, para.* 27.] "The percentage of cases dismissed for default is somewhat high, owing, as I have before explained, to the parties neglecting to appear and prosecute their appeals when I happened to be in camp."

Remanded.

The percentage of remands for retrial was highest in the Courts of the Deputy Commissioners, Balaghat, Damoh and Sambalpur, and in the Court of the Commissioner, Nagpur Division; but no special explanation is offered to account for these results.

Modified.

Reversed.

Confirmed.

Decrees of Courts of first instance were modified in largest proportions in the Court of the Deputy Commissioner, Chhindwara; and the percentage of decrees reversed in the Courts of the Commissioner, Nagpur Division, Deputy Commissioner, Nagpur, and Deputy Commissioner, Hoshangabad, was much above the average. The percentage of decrees confirmed was exceptionally high in the Courts of the Deputy Commissioners, Bhandara, Betul, and Saugor, and in the Court of the Commissioner, Chhattisgarh Division; and exceptionally low in the Court of the Commissioner, Nagpur Division. The percentage of decrees confirmed was on the whole the same as in 1873.

Appeals to the Judicial Commissioner.

44. In the Court of the Judicial Commissioner, 133 formally admitted special appeals were disposed of, as compared with 80 in 1873 with the following results :—

	1873.	1874.
Remanded for retrial... ...	34	76
Reversed	26	31
Modified	3	4
Confirmed	17	22
Total... ...	80	133

The proportion of special appeals formally admitted in which the orders of the lower courts were disturbed was thus, as in the previous year, large, but as then noted a number (157) of applications for special appeal were rejected under Section 25, Act XXIII. of 1861, and in many of these such rejection was tantamount to a confirmation on appeal of the judgment of the lower court after hearing the appellant.

Duration of Appeals.

45. The average duration of appeals was higher in the Courts of the Commissioners than in the previous year. The specially high duration in the Court of the Deputy Commissioner, Nagpur, arose out of circumstances which formed the subject of special report during the year, and which resulted in the investiture of a special officer with appellate powers as a Deputy Commissioner in the Nagpur District.

E.—Execution of Decrees.

Total business.

46. Execution of decree business has again increased, 43,240 fresh applications for execution having been filed, as against 37,807 in 1873. The number of applications made verbally has continued to decrease from 835 in 1873 to 495 in the present year, the bulk of such applications being as usual in the Court of Small Causes, Nagpur. The number of such applications in other Courts was comparatively insignificant and calls for no remark.

The districts and Court of Small Causes in which execution of decree business mostly increased are,

		Total number of applications to execute decrees, including cases pending from previous year,—	
		1873.	1874.
Nagpur	Ordinary District Courts ...	...3,862	4,633
	Principal Court of Small Causes	...3,527	4,856
	Kamthi	1,751	2,081
	Wardha	...2,975	4,019
	Saugor	...2,243	2,694
	Raipur	...1,019	1,508

And there was an appreciable decrease in the following districts:—

	1873.	1874.
Damoh	...1,047	924
Seoni	...1,017	794
Nimar	...4,259	4,067

The fluctuations thus to some extent corresponding with the fluctuations in original litigation in each of these localities.

Manner of disposal.

47. Out of 48,213 applications for disposal, 44,531 were disposed of during the year, and of these execution was completely or partially effected in 24,098 or 50 per cent. The number of applications struck off without execution is highest in the Court of Small Causes, Nagpur (55·5 per cent), Hoshangabad (47·7 per cent), and Wardha (45·6 per cent); but these figures do not appear to call for any special remark.

Imprisonments in execution of decrees.

48. The total number of persons actually committed to prison in execution has decreased from 834 to 657; of these, 94 belong to the Hoshangabad district, 80 to the Principal Court of Small Causes Nagpur, 80 to the Narsinghpur district, and 63 to the Wardha district.

Claims to attached property.

49. 3,647 claims to attached property were made; 1,820 of these were decided in favour of claimants, and there is no reason to think that claims to attached property are not as a rule sufficiently investigated. They were made most frequently in the Courts of the Nagpur district, where they numbered 561, and in 312 the claimants were successful.

Sale of immoveable property.

50. The number of orders for sale of immoveable property which were executed and confirmed by the Courts, has risen from 2,877 in 1873 to 3,237 in the present year.

51. The following table exhibits the extent to which Courts executing decrees applied for sanction to execute sale of property in land, under the special

proviso subject to which the Code of Civil Procedure was extended to these Provinces :—

DISTRICTS.	Sales of ancestral property in land sanctioned during 1874.					Sales disallowed.
	More villages than one.	Single villages.	Shares in villages.	Proprietary rights in land and occupancy tenures.	Total.	
Nagpur	..	2	8	19	29	..
Chanda	...	...	..	...	..	..
Bhandara	1	15	6	2	24	...
Wardha	...	..	8	10	18	...
Balaghat	...	4	3	4	11	...
Jubbulpore	...	2	12	6	20	1
Saugor	...	...	4	1	5	1
Damoh	...	...	2	1	3	...
Seoni	...	..	1	...	1	...
Mandla	...	...	1	...	1	...
Hoshangabad	3	4	11	14	32	...
Betul	...	1	3	5	9	...
Narsinghpur	1	2	8	15	26	1
Nimar	...	...	..	...	..	...
Chhindwara	...	1	3	5	9	...
Raipur	1	1	2	...	4	...
Bilaspur	...	2	3	...	5	...
Sambalpur	...	...	...	...	...	...
Upper Godavari	...	...	...	...	...	...
Total ..	6	34	75	82	197	3

Cases dealt with under S. 243, C. Civ. P.

52. Columns 22, 23 of Statement IV purport to show the number of cases dealt with under Section 243, Code of Civil Procedure, but notwithstanding the full explanations which were given in this Office Book Circulars XI of 1872 and VI of 1873, misconception has continued to prevail on the subject, chiefly the Courts after very properly appointing persons to manage attached landed property, while proceedings to sale are incomplete, have frequently stayed those proceedings altogether. The Courts have also themselves made temporary alienations of attached landed property which they had no authority to do, and sales have been postponed by the Courts on grounds not covered by Section 243, Code of Civil Procedure. The prevailing misconception has arisen partly out of the Courts' unwillingness to execute decrees by sale of landed property, but the results of their irregular proceedings have been frequently disadvantageous to all parties. The Judicial Commissioner has given fitting orders in respect of all cases which were pending in the Courts on this account, and there is now reason to hope that irregularity will cease. By adopting unauthorised procedure in such matters the Courts often do unintended harm. Sale of land in execution of decree can under proper conditions be averted by the Deputy Commissioner, as Collector under Section 244, Code of Civil Procedure, and on all grounds it is better that the Courts should leave the matter to him. It is illegal for them to do otherwise, and the Deputy Commissioner is the officer best fitted to effect the desired end.

Statement VI.

53. Statement VI shows that 316,555 processes were issued by the Courts during the year, the fees for which amounted to Rs. 1,12,112-4-0. Against this there was a charge of Rs. 60,279 on account of Naib Nazirs and Peons; miscellaneous charges to the

extent of Rs. 4,010 are also shown in the statement, but these doubtless do not include all charges indirectly incurred by Government, which have to be set off against the income from process fees. When the rates of these fees were fixed, the whole of the miscellaneous and indirect charges were estimated to equal about 50 per cent of the salaries of the Process serving establishment, and so calculated now, the total charges might be set down at about Rs. 96,000, which would leave a surplus income of about Rs. 16,000 for the year. On the whole then the existing rates which were first tried for a full year in 1874 seems fairly appropriate.

I have the honor to be,

Sir,

Your most obedient Servant,

R. LOGAN,

Officiating Registrar,

Judicial Commissioner's Court,

Central Provinces.

DATED NAGPUR,

19*th February* 1875.

18-8-V-124-825

IMPERIAL STATEMENTS.

12—4—75—Z—i—118—000

Judicial Statement B1.

Showing the various Judicial Tribunals, Original and Appellate, existing in the Central Provinces on the last day of the year 1874.

Classes of Tribunals, distinguishing those which exercise powers in one Department from those exercising powers in two or three Departments, and those consisting of paid and unpaid Judges.		Number of Judicial Divisions.	Average area of each Division in square miles.	Average population of each Division.	Number of Tribunals.	Constitution of Tribunals, stating number of Judges in each and Jury or Assessors, if any.	Judicial powers of each Tribunal, Original or Appellate.	Total number of Judges. European. Covenanted.	Commissioned Military Officers.	Uncovenanted.	Native.	Average annual salary of each Judge. European.	Native.	Total cost of Tribunals.	Net receipts from Stamps.	Executive or other functions exercised by the same Officer.	Average number of days in the year devoted to Judicial work.	Average number of advocates attached to each Tribunal.	Number of Cases decided during the year. Criminal.	Civil.	Revenue.	Appellate.
1		2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
Magistrates of the second and third classes exercising Criminal powers only.	Paid ...	4	1,423	178,126	4	A single Judge presides over each Court.	Each Judge had powers of a Magistrate of the 2nd or 3rd Class under the Code of Criminal Procedure.	2	...	1	1	5,200	3,000	...	...	One of the four paid Judges is a Civil Surgeon exercising the powers of a Magistrate of the 2nd Class.	Sundays and general holidays.	Courts of the Central Provinces.	187	...	...	...
	Unpaid...	30	960	96,202	72	Jury or Assessors not employed.		...	...	1	71	...	...	...	...				7,300	...	...	...
Magistrates of the second and third classes exercising Criminal, Civil, and Revenue powers.	Paid ...	38	2.374	203,082	66	Do.	Each Judge had on the Criminal side powers of a Magistrate of the 2nd or 3rd Class under the Code of Criminal Procedure, and on the Civil side power to hear suits of value up to Rs. 50, 100, 300, 500, 1,000, according to his powers under the Central Provinces' Courts' Act (XIV. of 1865), and had on the Revenue side the powers of a Deputy Collector under the Rent Law (Act X. of 1859, as amended by Act XIV, of 1863.)	3	...	1	62	4,350	1,720	Rs. 6,75,635-4-4	Rs. 6,44,993-11-0	These officers are Tahsildars (Sub-Collectors, Assistant and Extra Assistant Commissioners.			9,249	37,712	5,899	...

Small Cause Courts confined to proper functions.	Paid	...	1	851	244,626	2	A single Judge presides over each Court; Jury, or Assessors not employed.	One Judge had power to hear suits up to Rs. 1,000 under Act XI. of 1865, and the second Judge is Registrar of his Court, who, under the same Act, has been invested with powers to hear suits.	...	1	...	1	12,000	3,000			...	250 days excluding	49 Pleaders practice in the	...	6,146	...	...
Do. invested also with Criminal powers.	Paid	...	3	1,630	179,919	5	Do.	One of these Judges under Act XI. of 1865, and three under Acts XI. of 1865 and XXII. of 1864, had power to hear suits up to Rs. 500 in value. Four of these Judges exercise the powers of a Magistrate. The remaining Judge is the Registrar of one of the Courts, who himself had only Civil powers to decide suits up to Rs. 20.	...	4	...	1	7,800	1,920			Three of these Judges are Cantonment Magistrates.			795	5,830	...	...
Do. invested also with ordinary Civil or Revenue powers.	Paid	...	1	10	14,536	1	Do.	This Judge had on the Criminal side the powers of a Magistrate, and on the Civil side jurisdiction in suits not exceeding Rs. 500 in value, and of a nature cognizable by Courts of Small Causes. He had further been invested with the powers of a Collector under the Rent Act, except only the power to hear appeals. His jurisdiction as above is confined to Cantonment limits.	...	1	...	...	8,400	...	Rs. 6,75,635-4-4	Rs. 6,44,983-11-0	Cantonment Magistrate (Saugor.)			248	301	2	...
Naib Tahsildars invested with Civil powers only.	Paid	...	16	1,687	157,481	16	Do.	Each Judge can hear suits up to Rs. 50 in value, under Section 6, Act XIV. of 1865 "The Central Provinces' Courts Act."	...	...	...	16	...	705			They assist Tahsildars in the general administration of the Sub-divisions of Districts (Tahsils) to which they are posted.			...	13,564	...	...
Benches of Magistrates.	Unpaid.		1	834	244,626	5	A Bench consisting of five Magistrates, Jury or Assessors not employed.	A single Bench exercising the powers of Magistrates of the 1st Class, under the Code of Criminal Procedure.	...	...	...	5	...	...			...			374	...	...	...
Magistrates of the 1st Class (not Magistrates of Districts) invested with Criminal powers only.	Unpaid.		3	2,977	422,725	5	A single Judge presides over each Court; Jury or Assessors not employed.	The full powers of a Magistrate under the Code of Criminal Procedure.	...	...	...	5	...	...			...			779	...	...	...

Judicial Statement B1.—(*Continued*)

Classes of Tribunals, distinguishing those which exercise powers in one Department from those exercising powers in two or three Departments, and those consisting of paid and unpaid Judges.	Number of Judicial Divisions.	Average area of each Division in square miles.	Average population of each Division.	Number of Tribunals.	Constitution of Tribunals, stating number of Judges in each and Jury or Assessors, if any.	Judicial powers of each Tribunal, Original or Appellate.	Total number of Judges. European. Covenanted.	Commissioned Military Officers.	Uncovenanted.	Native.	Average annual salary of each Judge. European.	Native.	Total cost of Tribunals.	Net receipts from Stamps.	Executive or other functions exercised by the same Officer.	Average number of days in the year devoted to Judicial work.	Average number of advocates attached to each Tribunal.	Number of Cases decided during the year. Criminal.	Civil.	Revenue.	Appellate.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
Magistrates of the 1st Class (not Magistrates of Districts), invested with Civil and Revenue powers. } Paid ...	25	3,925	388,440	34	A single Judge presides over each Court; Jury or Assessors not employed.	In addition to full Magisterial powers as above, each of these Judges can hear Civil Suits up to Rs. 1,000 or 5,000 in value according to his powers under Act XIV. of 1865, and has on the Revenue side the powers of a Deputy Collector under the Rent Law.	7	6	6	15	6,221	4,560	...	...	These officers are Assistant and Extra Assistant Commissioners, and aid Deputy Commissioners in the general administration of the Districts to which they are posted. One of these is also general Assistant to the Deputy Commissioner.	...	...	5,718	13,248	625	...
Magistrate of the District. } Paid ...	19	4,472	326,396	19	Do.	In addition to the full powers of a Magistrate, these Officers hear appeals from convictions by Magistrates of the second and third classes. All of them exercise the special powers of Section 36 Code of Criminal Procedure to try all offences not punishable with death; on the Civil side they can try suits up to any value, and hear appeals from the decisions of Subordinate Civil Courts of their Districts of the four lowest grades specified in Act XIV. of 1865. On the Revenue side they have the powers of a Collector under the Rent Law.	...	17	2	...	15,915	...	...	...	These officers are Deputy Commissioners invested with administrative charge of Districts.	Sundays and general holidays.	Courts of the Central Provinces.	2,189	394	112	3,596

Courts of Session exercising also Civil and Revenue powers.	Paid	...	4	21,240	2050,380	4	A single Judge presides over each Tribunal. He is assisted by two Assessors, when trying defended Sessions cases (Criminal.)	These officers preside on the Criminal side over Courts of Session, and try heinous offenders committed by Magistrates to their Courts for trial, and likewise hear appeals from the orders of Magistrates of the 1st Class. On the Civil side Commissioners have no ordinary original jurisdiction, but under Act XIV. of 1865 hear appeals in all suits in which the value is Rs. 5,000 or more ; and they also hear appeals from the judgments of Collectors and Deputy Collectors in certain Suits under Act X. of 1859, (the Rent Act). They have also special original jurisdiction under Act IV. of 1869, the Indian Divorce Act, and X. of 1870, the Land Acquisition Act. In the Revenue Department, they are Commissioners of Division, and hear appeals from orders of Collectors under the Rent Law.	2	2	...	...	32,499	...	Rs. 6,75,635-4-4	Rs. 6,44,983-12-0	Commissioners have administrative charge of Divisions consisting of several Districts.	250 days excluding	49 Pleaders practise in the	94	...	...	1,050
Court of the Judicial Commissioner.	Paid	...	1	84,963	8,201,519	1	A single Judge presides over this Court unassisted by either Jury or Assessor.	The Judicial Commissioner's Court is the Chief Appellate Court in Criminal and Civil cases. Hearing on the Criminal side appeals from the orders of Courts of Session ; and on the Civil side, special appeals from decisions passed on appeal by Deputy Commissioners or Commissioners.—In Criminal cases the Judicial Commissioner has also the power of a Court of reference and revision given by the Code of Criminal Procedure to the Sadar Court.	...	1	...	...	38,000	...						...	...	...	203

ABSTRACT*

Number of Criminal Courts	
Magistrates of the 2nd and 3rd Class	127
Magistrates of the 1st Class	52
Benches of Magistrates	3
Magistrates of Districts	10
Courts of Session	4
Court of the Judicial Commissioner	1
Total ...	206

Number of Civil Courts	
Small Cause Courts	6
Court of the Naib Tahsildars	16
Courts of the Tahsildar	50
Courts of the Assistant Commissioner	32
Courts of the Deputy Commissioner .. .	19
Courts of the Commissioner	4
Court of the Judicial Commissioner	1
Total ..	128

* Under Administrative arrangements Officers exercising both Magisterial and Civil powers are sometimes employed only as Criminal, and sometimes only as Civil Judges, and sometimes as both This abstract shows the actual number of Judges employed as Criminal as well as Civil Judges at the close of the year

13 4 75 Z 122 690

Judicial Statement B. 6. (Civil.)

Statement showing the number and description of, Civil Suits instituted and disposed of, in the Courts of Original Civil Jurisdiction, in the Central Provinces, in the year 1874.

Class of Tribunals.	Money due.						Rent not falling under the Rent Law.	Recovery of personal property or value thereof.	Damages.				Suits for immoveable property.	Suits for specific performance of contract.	Suits to declare and establish rights to real property including pre-emption, foreclosure &c.	Suits to declare and establish personal rights.	Suits for an account.	Suits relating to religous endowments.	Suits to set aside judgments, contracts or obligations on the ground of fraud.	Suits for dissolution of marriage.	Suits for enforcement of matrimonial rights.	Suits for partition.	Suits relating to shipping.	Suits relating to religion and caste.	Total.
	On written obligation for sum certain.	On unwritten promise for sum certain.	On account stated.	For money paid or received.	For goods sold and delivered.	For breaches of contract not included in the above.			For injuries to person attended with direct or actual pecuniary damage.	For injuries to property.	For defamation.	For other injuries not included in the above.													
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26
Small Cause Courts ...	6,112	2,124	319	182	2,734	101	198	282	223				...	...	...	...	..	..	...	..	..	...	..	...	12,275
Sub-divisional Courts ...	23,239	8,594	985	687	5,758	820	281	4,982	1,287				1,145	28	74	34	7	1	16	3	59	6	..	..	48,406
District Courts ...	9,920	1,440	415	215	825	248	82	1,276	384				1,356	55	382	73	37	1	104	11	103	15	..	..	16,942
Superior Courts ...	..	..	...	..	...	...	...	...	..				...	...	...	...	..	...	1	1	...	..	..	..	2
Tota ... 1874	39,271	12,158	1,719	1,084	9,317	1,169	561	6,540	1,894				2,501	83	456	107	44	2	121	15	162	21	...	..	77,225
Tota ... 1873	37,028	12,409	1,431	1,083	9,553	1,863	733	6,519	1,773				2,370	56	345	83	49	2	83	20	190	10	...	1	75,603

Judicial Statement B 7.– (Civil.)

STATEMENT showing Value of Suits disposed of, in the Civil Courts of the Central Provinces, in the year 1874.

Value of Suits.		Number of Suits disposed of in different Courts.								REMARKS.
		Small Cause Courts.	Sub Divisional Courts		District Courts		Commissioner's Court.	Total number of Suits.	Total value of Suits.	
			Naib Tahsildars	Tahsildars	Assistant Commissioners.	Deputy Commissioners				
1		2	3	4	5	6	7	8	9	10
Not exceeding Rupees	5	2,834	3,166	5,506	505	6		12,017	39,576	
Do.	20	5,006	6,645	13,184	2,457	22	..	27,314	3,31,707	
Do	100	3,664	3,753	14,158	7,831	78	..	29,514	12,80,412	
Do.	500	739	..	1,564	4,877	63	1	7,244	13,01,788	
Do	1,000	32	.		594	12		638	4,52,810	
Do	5,000		...		284	151	..	435	8,48,767	
Do	10,000				.	41	1	42	2,94,914	
Do	100,000				..	20	..	20	3,27,710	
Exceeding Rupees	100,000	..	.			1	..	1	1,93,676	
Total	1874	12,275	13,564	34,442	16,548	394	2	77,225	49,81,360	
	1873	11,477	8,576	34,486	20,665	399		75,603	49,06,006	

Judicial Statement B 8.—(Civil.)

STATEMENT showing the General Result of the Trial of Civil Suits, in the Courts of Original Jurisdiction in the Central Provinces, in the year 1874.

Class of Courts.	Suits remaining from last year.	Filed in this year.	Received by transfer.	Total for disposal.	Transferred to other Courts.	Plaints rejected or returned.	Dismissed for default.	Withdrawn with leave.	Compromised.	Decreed on confession.	Decreed exparte.	Dismissed exparte.	Contested. Judgment for Plaintiff in whole or part.	Contested. Judgment for Defendant.	Total disposed of.	Pending.	Over two months.	Over four months.	Average duration of suits. Contested.	Average duration of suits. Uncontested.	Referred to arbitration.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
Small Cause Courts..	246	12,271	...	12,517	..	81	1,794	138	2,221	3,661	1,086	24	2,545	725	12,275	242	...	...	14·7	10·7	47
Subdivisional Tribunals ...	1,553	47,565	...	49,118	1	318	9,821	565	7,905	12,521	5,330	269	8,290	2,980	48,006	1,112	3	...	26·7	18·6	268
District Courts, other than Chief Courts of Districts ...	774	16,418	1	17,193	...	134	2,166	223	1,347	4,441	2,508	78	4,192	1,485	16,574	619	17	1	30·9	21·	158
Chief Courts of Districts ...	21	383	...	404	..	5	28	8	33	69	28	..	137	60	308	86	3	13	47·7	34·3	10
Superior Courts ...	...	2	...	2	...	...	...	...	..	...	..	...	2	...	2	...	...	...	65·6	...	..
Total .. 1874...	2,594	76,639	1	79,234	1	538	13,809	934	11,506	20,692	8,952	371	15,166	5,256	77,225	2,009	23	14	26·1	17·9	463
Total .. 1873...	3,624	74,594	...	78,218	15	372	14,667	860	11,260	19,220	8,906	403	14,871	5,029	75,603	2,615	56	6	27·6	19·4	496

Judicial Statement B. 9—(Civil.)

STATEMENT showing the business of the Civil Appellate Courts of the Central Provinces, in the year 1874.

Class of Courts.	Remaining from previous year.	Instituted during the year.	Received by transfer.	Total.	Transferred.	Dismissed for default under Sections 5 and 6, Act XXIII. of 1861.	Heard exparte.			Contested.				Total disposed of.	Pending.	Over two months.	Objections under Section 348, Act VIII. of 1859.	Objections allowed.	Remarks.
							Confirmed.	Modified.	Reversed.	Confirmed.	Modified.	Reversed.	Remanded.						
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
Chief Appellate Courts of Districts ...	198	2,811	..	3,009	..	245	108	23	77	1,469	212	740	...	2,874	135	3	17	10	...
Superior Appellate Courts other than Chief Court of Province ...	93	619	...	712	.	44	56	4	16	233	48	140	...	541	171	70	10	8	..
Chief Court of Province ...	18	145	...	163	..	.	1	...	14	21	4	29	65	134	29	21	3	...	...
Total 1874	309	3,575	...	3,884	...	289	165	27	107	1,723	264	909	65	3,519	335	94	30	18	...
Total 1873	334	3,263	.	3,597	1	296	149	24	51	1,579	244	511	431	3,286	311	25	15	7	...

Judicial Statement B. 10.—(Civil.)

STATEMENT showing the Execution of Decrees in the Courts of the Central Provinces, during the year 1874.

Class of Courts	Applications to execute decrees.				Decrees completely executed.	Partially executed.	Pending at the end of year.	Nature and number of coercive processes issued.						Remarks.
	Pending from previous year.	Filed in the year.	Received by transfer.	Total.				Imprisonment of person.	Moveable property.		Immoveable property.		Under Section 243, Code of Civil Procedure.	
									Attached.	Sold.	Attached.	Sold.		
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Small Cause Courts ...	430	8,135	22	8,587	1,789	2,146	305	142	1,956	513	..	..	.	* 20,432 cases were struck off without execution effected.
Local and Sub-divisional Courts	1,907	20,831	420	23,158	6,736	5,421	1,846	232	6,004	2,624	4,209	1,821	53	† 16,312 do. do.
District Courts ...	1,774	14,273	420	16,467	4,007	3,999	1,531	283	3,901	1,739	3,331	1,416	200	‡ 145 temporary alienations under Section 244 Act VIII. of 1859.
Superior Courts ..	...	1	...	1	..	..	...	...	...	..	..	..	...	
Total .. 1874	4,111	43,240	862	48,213	12,532	11,566	*3,682	657	11,861	4,876	7,540	3,237	‡ 253	
Total .. 1873	4,349	37,607	650	42,606	12,245	10,111	†4,138	834	10,568	4,821	6,549	2,877	§ 221	§ 36 do do,

Judicial Statement B 11.—(Civil.)

STATEMENT showing use of Juries and Assessors in the Civil Courts of the Central Provinces, in the year 1874

Classes of Courts in which Juries or Assessors are employed, distinguishing Criminal from Civil Courts.	Established or average number of Jury or Assessors in each case and prescribed qualifications	Number of cases tried by Jury.	Number of cases with Assessors.	Jury Trials.			Assessors Trials.		Note showing in what classes of cases Juries and Assessors have been principally employed.	Remarks
				Verdict in favor of the prosecutor or plaintiff.	Verdict in favor of the accused or defendant.	Jury discharged without verdict.	Number of cases in which Judges agreed with Assessors.	Number of cases in which Judges differed from Assessors.		
Civil Courts. (*Blank.*)										

PROVINCIAL STATEMENTS

No.

Statement showing the number, description and value of Original suits disposed of in

	Money Due.									
	On written obligation.	On unwritten obligation.	On account stated.	For money paid or received.	For goods sold and delivered.	For breaches of contract not included in the above.	Rent, not falling under the Rent Law.	Moveable property or value thereof.	Damages.	Suits for immoveable property.
1	2	3	4	5	6	7	8	9	10	11
Nagpur ...	4,223	925	53	85	440	73	8	479	112	331
Principal Court of Small Causes, Nagpur ...	3,642	927	20	70	1,220	36	50	102	79	...
Cantonment Small Cause Court, Kamthi ..	1,163	577	137	20	764	25	59	47	29	...
Chanda ..	1,250	159	12	35	129	84	9	317	76	34
Bhandara ...	1,493	295	8	73	199	10	8	465	76	56
Wardha ...	3,589	1,245	268	81	869	36	17	473	109	209
Balaghat ...	533	298	26	16	69	52	5	263	81	26
Jubbulpore ...	883	269	50	69	166	73	7	130	47	308
Principal Court of Small Causes, Jubbulpore ..	1,055	546	103	44	446	9	48	125	101	...
Cantonment Small Cause Court, Jubbulpore ...	112	29	47	44	163	10	26	1	10	..
Saugor ...	1,741	365	124	52	243	28	27	552	33	177
Cantonment Small Cause Court, Saugor ..	99	36	12	4	112	15	15	5	3	...
Damoh ...	919	211	42	29	124	9	6	260	40	105
Seoni ..	521	406	25	9	141	13	7	184	84	46
Mandla ...	170	200	19	15	117	15	3	73	49	12
Hoshangabad ...	3,880	1,161	247	64	477	125	76	986	152	217
Betul ...	1,478	533	85	46	324	64	9	174	108	90
Narsinghpur ..	3,879	1,004	206	76	373	37	45	277	98	286
Chhindwara ...	1,979	633	64	49	278	129	22	363	87	141
Nimar ...	4,280	940	123	125	1,326	58	80	222	111	148
Cantonment Small Cause Court, Asirgarh ...	41	9	...	...	29	6	...	2	1	...
Raipur ...	1,233	742	17	41	620	71	21	567	208	133
Sambalpur ...	461	198	10	15	187	46	1	229	92	89
Bilaspur ...	598	428	14	22	441	138	10	232	102	92
Upper Godavari ...	49	22	7	...	60	7	2	12	6	1
Commissioner, Nagpur Division ...	...	...	...	...	...	...	...	...	...	...
Total ... 1874	39,271	12,158	1,719	1,084	9,317	1,169	561	6,540	1,894	2,501
Total ... 1873	37,028	12,409	1,431	1,083	9,555	1,863	733	6,519	1,773	2,370

Exhibition of above Grand

Not exceeding Rs. 5	1,600	3,526	227	244	4,057	317	162	1,069	322	461
Ditto " 20	13,088	5,194	521	362	3,714	394	245	2,411	649	672
Ditto " 100	19,630	2,825	612	342	1,354	342	127	2,426	716	826
Ditto " 500	4,395	526	290	115	174	95	26	559	191	392
Ditto " 1,000	340	48	42	9	17	8	...	48	11	61
Ditto " 5,000	193	38	26	9	1	8	1	23	4	76
Ditto " 10,000	16	1	1	2	...	3	...	1	1	7
Ditto " 1,00,000	9	...	...	1	...	2	...	3	...	5
Exceeding " 1,00,000	...	...	...	...	...	...	..	...	...	1
Total ... 1874	39,271	12,158	1,719	1,084	9,317	1,169	561	6,540	1,894	2,501
Total ... 1873	37,028	12,409	1,431	1,083	9,555	1,863	733	6,519	1,773	2,370

the Districts of the Central Provinces during the year 1874

Suits for specific performance of contract.	To declare and establish Rights only. Connected with immoveable property, including pre-emption, foreclosure, &c.,	To declare and establish Rights only. Personal (unconnected with property.)	Suits for an account.	Suits relating to religious endowments.	Suits to set aside judgments, contracts, or obligations on the ground of fraud.	Suits for dissolution of marriage.	Suits for enforcement of matrimonial rights.	Suits for partition.	Suits relating to shipping.	Suits relating to religion and caste.	Total.	Remarks.
12	13	14	15	16	17	18	19	20	21	22	23	24
6	9	17	12	...	2	6	16	...	...	..	6,797	
...	...	...	...	...	...	...	...	..	...	...	6,146	
...	...	...	...	...	...	..	...	...	...	...	2,821	
1	6	3	1	...	4	2	6	...	...	...	2,128	
8	29	1	5	...	5	...	6	...	...	...	2,737	
2	33	17	2	...	3	1	4	6	...	...	6,964	
2	8	...	...	...	1	...	...	7	...	...	1,387	
3	59	28	6	1	10	1	16	...	...	...	2,126	
...	...	...	...	...	...	...	...	...	...	...	2,477	
..	...	...	...	...	..	...	...	...	...	...	442	
12	67	10	1	...	4	..	...	1	...	...	3,437	
...	...	...	...	...	...	...	...	...	...	...	301	
7	36	...	...	...	...	...	...	...	...	...	1,788	
...	4	...	1	...	...	..	9	...	...	..	1,450	
8	...	...	1	...	1	.	11	...	...	...	694	
19	21	13	6	...	21	1	2	...	...	..	7,468	
1	30	4	...	...	8	2	5	...	..	..	2 961	
3	49	6	..	...	14	...	1	...	...	..	6,354	
4	12	1	1	...	1	...	19	...	..	...	3,783	
3	25	3	3	1	30	1	52	...	...	...	7,531	
...	...	...	..	...	..	...	...	...	...	...	88	
2	44	1	4	..	2	..	4	1	...	...	3,711	
...	..	...	1	...	4	...	5	6	...	...	1,344	
2	24	2	...	...	10	..	5	...	..	..	2,120	
..	...	1	...	..	..	...	1	...	...	..	168	
..	..	..	...	..	1	1	...	...	..	...	2	
83	456	107	44	2	121	15	162	21	..	...	7,225	
56	345	83	49	2	83	20	190	10	..	1	5,603	

Total in detail of values.

12	7	7	...	...	5	..	1	..	...	..	2,617	
14	22	13	1	...	10	...	1	3	...	...	7,314	
19	83	14	4	1	28	4	155	6	...	...	9,514	
29	268	64	36	1	62	11	4	6	...	...	7,244	
3	35	7	3	...	5	...	1	...	...	...	638	
4	37	2	...	...	10	...	...	3	...	...	435	
2	4	...	..	...	1	..	...	3	...	...	42	
...	...	...	...	...	...	...	...	...	...	...	20	
...	...	...	...	...	..	...	...	...	...	...	1	
83	456	107	44	2	121	15	162	21	...	...	7,225	
56	345	83	49	2	83	20	190	10	...	1	5,603	

No. II.

STATEMENT showing value of Original Suits disposed of in the Districts of the Central Provinces during the year 1874.

Value of Suits.	Number of Suits Disposed of in different Courts.							Total value of Suits.	Remarks.
	Small Cause Courts.	Naib Tahsildars' Courts.	Courts of the Tahsildar.	Court of the Assistant Commissioner.	Court of the Deputy Commissioner.	Court of the Commissioner.	Total number of Suits.		
1	2	3	4	5	6	7	8	9	10
								Rs.	
Not exceeding Rs. 5	2,834	3,166	5,506	505	6	...	12,017	39,576	
" " 20	5,006	6,645	13,184	2,457	22	...	27,314	3,31,707	
" " 100	3,664	3,753	14,188	7,831	78	...	29,514	12,80,412	
" " 500	739	...	1,564	4,877	63	1	7,244	13,01,788	
" " 1,000	32	...	...	594	12	...	638	4,52,810	
" " 5,000	...	...	...	284	151	...	435	8,48,767	
" " 10,000	...	...	...	..	41	1	42	2,94,914	
" " 1,00,000	...	...	...	..	20	...	20	3,27,710	
Exceeding " 1,00,000	...	...	...	..	1	...	1	1,03,676	
Total ... 1874	12,275	1[illegible],564	34,442	16,548	394	2	77,225	49,81,360	
Total ... 1873	11,477	[illegible],576	34,486	20,665	399	...	75,603	49,06,006	

No. III.

Statement showing the general result of the trial of Original Suits in the Districts of the Central Provinces during the year 1874.

District and Small Cause Courts.	For disposal.					Disposed of								
								Dismissed for default.			Compromised.		Decreed on confession.	
	Remaining at close of previous year.	Re-instituted during the year.	Received by transfer from other Provinces during the year.	Instituted during the year.	Total.	Transferred to other Provinces.	Plaints rejected or returned.	Number.	Percentage of total disposed of.	Withdrawn with leave.	Number.	Percentage of total disposed of.	Number.	Percentage of total disposed of.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Nagpur ...	271	157	...	6,745	7,173	..	32	1,065	15·7	104	1,280	18·8	1,815	26·7
Principal Court of Small Causes, Nagpur ...	156	130	...	5,974	6,260	...	54	835	13·6	79	1,447	23·5	1,477	24·0
Cantonment Small Cause Court, Kamthi ...	8	7	...	2,830	2,845	...	9	214	7·6	33	453	16·1	1,522	54·0
Chanda ...	166	16	...	2,023	2,205	1	19	316	14·8	16	352	16·5	634	29·8
Bhandara ...	113	79	...	2,628	2,820	...	21	424	15·5	58	382	14·0	980	35·8
Wardha ...	253	237	...	6,602	7,092	...	35	1,358	19·5	172	954	13·7	1,867	26·8
Balaghat ...	101	79	...	1,240	1,420	..	19	318	22·9	33	116	8·4	319	23·0
Jubbulpore ...	68	74	...	2,032	2,174	...	22	381	17·9	21	332	15·6	314	14·8
Principal Court of Small Causes, Jubbulpore ..	82	25	..	2,468	2,575	..	18	663	26·8	16	236	9·5	317	12·8
Cantonment Small Cause Court, Jubbulpore ..	..	...	...	445	445	...	...	39	8·8	4	35	7·9	171	38·7
Saugor ...	174	78	..	3,250	3,502		37	503	14·6	56	495	14·4	980	28·6
Cantonment Small Cause Court, Saugor ...	...	...	...	302	302	...	...	8	2·7	6	50	16·6	140	46·5
Damoh ...	114	46	...	1,698	1,858	...	15	372	20·8	2	322	18·0	431	24·1
Seoni ...	43	42	...	1,408	1,493	...	19	295	20·4	11	228	15·7	254	17·5
Mandla ...	7	10	...	680	697	...	5	190	27·4	6	133	19·2	82	11·8
Hoshangabad ..	182	232	...	7,290	7,704	...	75	1,566	21·0	99	844	11·3	1,566	21·0
Betul ...	86	37	...	2,946	3,069	...	19	368	12·4	25	534	18·0	920	31·1
Narsinghpur ...	255	146	...	6,119	6,520	...	39	1,234	19·4	37	709	11·2	1,469	23·1
Chhindwara ..	158	74	...	3,655	3,887	..	18	781	20·6	20	701	18·5	873	23·1
Nimar ...	85	140	1	7,340	7,566	...	42	1,395	18·5	84	721	9·6	2,652	35·2
Cantonment Small Cause Court, Asirgarh ...	...	...	..	90	90	...	...	35	39·8	...	...	...	34	38·6
Raipur ...	112	58	...	3,604	3,774	...	12	734	19·8	24	681	18·4	913	24·6
Sambalpur ...	49	51	...	1,286	1,386	...	12	210	15·6	6	109	8·1	450	33·5
Bilaspur ...	105	38	..	2,047	2,190	...	15	499	23·5	20	360	17·0	435	20·5
Upper Godavari ..	6	1	..	178	185		1	6	3·5	2	32	19·0	77	45·8
Commissioner, Nagpur Division ..	...	...	...	2	2	..	...	...	..	...	...	...	...	..
Total ... 1874 ...	2,594	1,757	1	74,882	79,234	1	538	13,809	17·9	934	11,506	14·9	20,692	26·8
Total ... 1873 ..	3,624	1,892	...	72,702	78,218	15	372	14,667	19·4	860	11,260	14·9	19,220	25·4

Dis

District and Small Cause Courts.	Number decreed.	*Ex parte.* Dismissed. Number.	*Ex parte.* Dismissed. Percentage of total *ex parte.*	*Ex parte.* Total. Number.	*Ex parte.* Total. Percentage of total disposed of.	Contested (and disposed of by—) Judgment for Plaintiff, In whole. Number.	Judgment for Plaintiff, In whole. Percentage of total contested.	Judgment for Plaintiff, In part. Number.	Judgment for Plaintiff, In part. Percentage of total contested.	Judgment for Defendant. Number.	Judgment for Defendant. Percentage of total contested.
	16	17	18	19	20	21	22	23	24	25	26
Nagpur	844	73	8·0	917	13·5	818	51·6	384	24·3	382	24·1
Principal Court of Small Causes, Nagpur ...	788	21	2·6	809	13·2	670	46·4	441	30·5	334	23·1
Cantonment Small Cause Court, Kamthi ...	52	...	...	52	1·8	211	39·2	231	42·9	96	17·9
Chanda...	138	15	9·8	153	7·2	268	42·1	219	34·4	150	23·5
Bhandara	281	10	3·4	291	10·6	248	42·7	179	30·8	154	26·5
Wardha...	787	33	4·0	820	11·8	732	41·6	628	35·7	398	22·7
Balaghat	200	17	7·8	217	15·6	158	43·3	94	25·8	113	30·9
Jubbulpore	211	11	5·0	222	10·5	341	40·9	179	21·5	314	37·6
Principal Court of Small Causes, Jubbulpore ...	193	3	1·5	196	7·9	359	34·8	435	42·2	237	23·0
Cantonment Small Cause Court, Jubbulpore ...	40	...	...	40	9·0	57	37·3	64	41·8	32	20·9
Saugor.	353	25	6·6	378	11·0	558	56·5	230	23·3	200	20·2
Cantonment Small Cause Court, Saugor ..	9	...	...	9	3·0	29	33·0	37	42·0	22	25·0
Damoh.	148	8	5·1	156	8·7	265	54·2	108	22·0	117	23·8
Seoni	139	15	9·7	154	10·6	207	42·3	168	34·4	114	23·3
Mandla	60	6	9·1	66	9·5	57	26·9	111	52·3	44	20·8
Hoshangabad	1,388	37	2·6	1,425	19·1	849	44·9	555	29·3	489	25·8
Betul	276	8	2·8	284	9·6	301	37·1	247	30·5	263	32·4
Narsinghpur	1,039	9	0·9	1,048	16·5	868	47·8	522	28·7	428	23·5
Chhindwara	279	27	8·8	306	8·1	382	35·3	344	31·7	358	33·0
Nimar	1,128	30	2·6	1,158	15·4	659	44·6	508	34·3	312	21·1
Cantonment Small Cause Court, Asirgarh ...	4	...	...	4	4·5	8	53·3	3	20·0	4	26·7
Raipur	313	11	3·4	324	8·7	315	31·0	379	37·0	329	32·0
Sambalpur	104	4	3·7	108	8·0	178	39·6	140	31·2	131	29·2
Bilaspur	158	8	4·8	166	7·8	199	31·8	196	31·4	230	36·8
Upper Godavari ...	20	...	...	20	11·9	4	13·3	21	70·0	5	16·7
Commissioner, Nagpur Division	...	...	...	...	...	2	100	...	...	...	...
Total .. 1874...	8,952	371	4·0	9,323	12·1	8,743	42·8	6,423	31·5	5,256	25·7
Total .. 1873...	8,906	403	4·3	9,309	12·3	8,493	42·7	6,378	32·1	5,029	25·2

—(*Continued.*)

posed of			Pending.			Average			Number of Suits disposed of.							
Total						Duration of suits in days and tenths.										
Number.	Percentage of total disposed of.	Total.	Total.	Over two and not over four months.	Over four months.	Contested.	Uncontested.	Number of hearings in Suits disposed of.	Instituted in *forma pauperis*.	In which commission issued for local investigation.	In which commission issued to investigate or adjust accounts.	In which reference was made to arbitrators.	In which any matter was decided on oath of party or witness.	In which costs in part or whole were decreed against a winning plaintiff.	In which payment by instalments was decreed.	REMARKS.
27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43
1,584	23·3	6,797	376	12	2	36·8	22·6	2·2	13	85	134	33	65	149	188	
1,445	23·5	6,146	114	...	..	15·2	10·9	1·4	..	19	19	5	137	489	253	
538	19·1	2,821	24	...	...	11·6	8·1	1·3	...	5	14	9	29	186	786	
637	29·9	2,128	77	3	...	41·2	26·9	2·5	2	10	8	6	2	175	255	
581	21·2	2,737	83	...	...	25·9	15·8	2·2	4	22	45	20	13	122	206	
1,758	25·3	6,964	128	...	...	29·6	19·1	2·0	2	61	77	7	42	362	224	
365	26·3	1,387	33	...	...	29·4	22·9	2·3	6	8	10	4	13	21	106	
834	39·2	2,126	48	1	...	32·1	20·4	2·4	1	54	22	38	9	28	70	
1,031	41·6	2,477	98	...	...	16·8	14·8	1·2	1	9	5	31	5	468	120	
153	34·6	442	3	...	...	9·7	7·7	1·2	...	..	2	2	...	37	47	
988	28·8	3,437	65	1	...	29·5	18·8	2·2	1	40	35	32	32	303	157	
88	29·2	301	1	..	...	10·3	7·4	1·3	...	...	3	...	1	20	27	
490	27·4	1,788	70	..	...	25·0	18·9	2·0	1	4	1	11	10	225	149	
489	33·7	1,450	43	...	..	29·4	24·4	2·2	1	2	2	41	21	90	170	
212	30·5	694	3	...	..	21·4	16·9	1·8	..	...	1	9	4	106	29	
1,893	25·3	7,468	236	1	10	20·5	13·6	1·7	15	33	92	46	44	436	527	
811	27·4	2,961	108	1	...	25·5	16·6	1·5	4	19	4	10	9	177	329	
1,818	28·6	6,354	166	2	...	29·1	24·1	1·9	..	22	7	18	16	263	469	
1,084	28·7	3,783	104	...	..	27·1	18·0	2·0	1	33	32	19	64	151	471	
1,479	19·6	7,531	35	...	..	20·8	15·0	1·5	3	27	23	46	208	248	1,343	
15	17·0	88	2	...	...	7·8	8·5	1·0	...	...	...	...	...	2	6	
1,023	27·5	3,711	63	1	1	27·1	21·6	2·1	3	19	7	36	26	47	227	
449	33·4	1,344	42	..	...	28·8	19·3	2·2	1	8	1	37	...	92	173	
625	29·5	2,120	70	1	...	35·0	21·3	2·3	5	5	1	20	18	51	237	
30	17·8	168	17	...	1	36·2	22·9	2·8	...	1	...	3	...	3	42	
2	100·	2	...	...	...	65·6	...	8·0	..	...	...	...	...	...	...	
20,422	26·4	77,225	2,009	23	14	26·1	17·9	1·9	64	466	545	483	768	4,251	6,611	
19,900	26·3	75,603	2,615	56	6	27·6	19·4	1·8	78	365	547	496	363	4,026	6,280	

No.

Statement showing the Execution of Decrees in the

Districts and Small Cause Courts	Applications to execute decrees.					Struck off, execution for the time being ended and no coercive process remaining in force.				
	Pending from last year.	Filed.		Received by transfer.	Total.	Decrees completely executed.	Decrees partially executed.	Without execution.	Total.	Decrees executed by possession being given of specified property decreed.
		Verbally.	In writing.							
1	2	3	4	5	6	7	8	9	10	11
Nagpur ...	477	33	3,805	318	4,633	1,206	906	2,103	4,215	82
Principal C. of S. C. Nagpur ...	294	118	4,444	...	4,856	1,028	955	2,698	4,681	...
Cantonment S. C Court Kamthi ...	75	8	1,991	7	2,081	377	680	951	2,008	2
Chanda ...	121	38	1,089	13	1,261	381	387	372	1,140	10
Bhandara ...	270	28	1,681	40	2,019	596	452	644	1,692	20
Wardha ...	321	49	3,555	94	4,019	1,129	731	1,834	3,694	77
Balaghat ...	82	19	734	27	862	219	152	390	761	7
Jubbulpore ...	212	12	1,364	109	1,697	413	326	750	1,489	69
Principal C. of S. C. Jubbulpore ...	55	32	1,087	7	1,181	242	374	514	1,130	..
Cantonment S. C, Court Jubbulpore.	3	3	256	8	270	61	67	138	266	...
Saugor ...	321	4	2,340	29	2,694	538	693	1,229	2,460	70
Cantonment S. C. Court Saugor ...	3	4	142	...	149	51	63	33	147	...
Damoh ...	129	6	782	16	924	262	239	330	831	29
Seoni ...	56	3	735	.	794	255	128	328	711	...
Mandla ...	2	...	185	11	198	51	60	76	187	..
Hoshangabad ...	298	37	4,702	48	5,085	1,040	1,253	2,426	4,719	59
Betul ...	189	22	1,477	27	1,715	466	487	630	1,583	29
Narsinghpur ...	483	37	4,555	32	5,107	1,215	1,676	1,864	4,755	105
Chhindwara ...	227	4	1,536	26	1,793	573	497	540	1,610	21
Nimar ...	281	18	3,738	30	4,067	1,371	791	1,717	3,879	31
Cantonment S. C. Court Asirgarh ...	...	...	50	...	50	30	7	13	50	...
Raipur ...	94	12	1,389	13	1,508	489	394	507	1,390	16
Sambalpur ...	49	2	519	3	573	255	109	141	505	21
Bilaspur ..	75	3	548	4	630	253	132	198	583	15
Upper Godavari ...	3	3	40	...	46	31	7	6	44	...
Commissioner, Nagpur Division ...	...	...	1	...	1	...	...	1	1	...
Total ... 1874 ...	4,111	495	42,745	862	48,213	12,532	11,566	20,433	44,531	666
Total ... 1873 ...	4,349	835	36,972	650	42,806	1,2245	10,111	16,312	38,668	432

IV.

Districts of the Central Provinces during the year 1874.

Pending.			Claims to attached property decided.		Nature and number of coercive processes issued.								
						Moveable Property.		Immoveable Property.		Orders under Section 243. Act VIII. of 1859.			
Total.	Over two and not over four months.	Over four months.	For claimant in whole or part.	Against claimant.	Persons actually committed to prison.	Number of warrants in execution of which attachment was effected.	Number of orders for sale executed.	Number of warrants in execution of which attachment was effected.	Number of orders for sale executed and confirmed.	Manager appointed.	Sale postponed.	Temporary alienations under Section 244, Act VIII. of 1859.	REMARKS
12	13	14	15	16	17	18	19	20	21	22	23	24	25
418	52	70	312	249	50	898	431	1,206	579	...	...	..	
175	23	3	78	134	80	1,100	257	...	...	...	...	...	
73	...	...	30	3	7	495	105	...	...	...	...	...	
121	1	7	74	37	7	515	241	191	85	2	...	...	
327	26	14	102	89	11	750	325	446	184	...	..	1	
325	19	23	251	152	63	1,190	513	613	267	...	...	1	
101	3	11	46	47	7	223	84	118	42	11	...	...	
208	26	119	32	80	15	270	102	276	131	16	2	...	
51	...	...	16	17	29	249	104	...	...	..	...	.	
4	...	...	...	...	12	55	29	...	...	..	..	...	
234	22	72	84	194	35	519	160	779	273	118	1	.	
2	...	...	4	4	14	34	15	...	..	...	..	...	
93	40	11	41	52	14	222	109	189	76	...	..	...	
83	8	15	4	16	14	135	38	99	29	2	..	...	
11	...	2	1	12	2	48	34	26	10	...	...	...	
766	7	26	184	207	94	1,335	622	861	423	...	...	...	
132	..	34	46	84	24	469	252	401	174	23	...	7	
352	24	39	178	188	86	1,023	494	1,195	479	61	..	131	
183	10	5	54	99	6	626	316	414	175	...	...	4	
188	8	5	210	133	58	797	260	481	194	2	..	1	
...	...	...	1	...	...	23	3	...	...	...	..	...	
118	1	12	52	49	26	443	195	130	71	9	...	...	
68	5	...	19	3	6	205	76	60	20	...	...	...	
47	5	9	5	7	3	219	109	54	24	6	...	1	
2	1	...	2	1	...	18	2	1	1	...	...	...	
...	...	...	...	...	...	...	...	...	...	...	..	...	
3,682	281	477	1,820	1,827	657	11,861	4,876	7,540	3,237	250	3	145	
4,138	399	579	1,614	1,666	834	10,568	4,821	6,549	2,877	191	30	36	

No. V.

Statement showing the Appellate business of the Courts of the Central Provinces for the year 1874.

In the Court of—		For disposal.				Disposed of.											Pending.		Number of cases in which objections under S. 348, Act VIII. of 1859 were		Average duration of each appeal tried.
								Heard *ex parte*.				Contested.									
										Reversed.				Reversed.							
		Remaining at close of previous year.	Received by transfer from other Provinces.	Instituted or re-admitted.	Total.	Transferred to other Provinces.	Dismissed for default, or under Sections 5 and 6, Act XXIII. of 1861.	Confirmed.	Modified.	Without remand under S. 351, C. Cir. P.	Remanded under S. 351, C. Cir. P.	Confirmed.	Modified.	Without remand under S. 351, C. Cir. P.	Remanded under S. 351, C. Cir. P.	Total.	Total.	Over four months.	Preferred.	Allowed (because successfully maintained.)	
1		2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21
Judicial Commr.	Regular appeal	...	...	1	1	...	...	...	...	..	...	..	...	1	...	1	...	...	...	...	60·0
	From Decrees Ordinary	18	...	123	141	...	...	1	..	3	10	20	4	23	54	115	26	19	3	..	46·1
	" Rent Law	...	...	12	12	...	...	...	...	...	...	...	..	3	8	11	1	1	...	...	37·2
	From Orders	...	..	9	9	...	..	...	...	...	1	1	...	2	3	7	2	1	...	...	34·2
Commissioners. Nagpur	From Decrees Ordinary	14	...	69	83	...	5	2	1	2	2	20	11	10	16	69	14	...	6	6	92·2
	" Rent Law	20	...	51	71	...	7	2	...	2	2	22	2	11	6	54	17	..	...	...	84·1
	From Orders	6	...	3	9	...	...	..	...	...	...	2	..	3	2	7	2	..	...	...	90·4
Jubbulpore	From Decrees Ordinary	18	...	145	163	...	3	5	2	...	...	80	22	22	8	142	21	...	3	2	33·1
	" Rent Law	3	...	52	55	...	1	..	...	.	1	19	3	8	6	38	17	.	...	...	31·0
	From Orders	2	...	40	42	...	3	16	...	...	2	8	4	4	2	39	3	...	...	...	28·1
Narbada	From Decrees Ordinary	12	...	94	106	...	7	1	..	..	...	19	4	5	13	49	57	42	1	...	109·2
	" Rent Law	11	...	75	86	...	13	..	...	...	...	31	...	4	6	54	32	25	..	..	101·0
	From Orders	2	...	16	18	...	2	...	...	...	...	9	..	3	1	15	3	3	..	...	75·2
Chattisgarh	From Decrees Ordinary	4	...	29	33	...	1	3	..	1	...	15	2	7	1	30	3	...	...	..	45·3
	" Rent Law	1	...	26	27	...	2	10	1	2	...	8	...	2	...	25	2	..	...	...	39·8
	From Orders	...	...	19	19	...	...	17	..	2	...	...	...	...	...	19	...	..	...	...	5·5
Total in Courts of the Commrs.	From Decrees Ordinary	48	...	337	385	..	16	11	3	3	2	134	39	44	38	290	95	42	10	8	61·3
	" Rent Law	35	...	204	239	...	23	12	1	4	3	80	5	25	18	171	68	25	...	...	71·4
	From Orders	10	...	78	88	...	5	33	...	2	2	19	4	10	5	80	8	3	...	...	37·4

Deputy Commissioners	Nagpur ...	From Decrees	...	34	...	196	230	...	34	4	..	2	...	77	15	56	34	216	14	3	..	...	121·5
		From Orders	..	2	...	11	13	...	3	...	...	..	..	6	1	2	..	12	1	...	...	..	72·0
	Chanda ...	From Decrees	..	2	...	70	72	...	6	6	3	2	1	29	7	9	4	67	5	...	...	...	36·7
		From Orders	...	..	...	2	2	...	1	...	..	..	...	...	...	...	...	2	...	...	...	...	12·5
	Bhandara ...	From Decrees	..	...	..	111	111	..	8	...	..	...	...	67	7	17	4	103	8	...	...	..	18·4
		From Orders	..	..	..	8	8	...	...	3	..	..	...	5	..	...	...	8	..	...	...	...	10·1
	Wardha ...	From Decrees	.	20	...	346	366	..	32	8	4	2	2	163	44	50	37	342	24	..	9	4	21·8
		From Orders	..	2	...	16	18	...	2	1	..	...	...	3	..	6	4	16	2	...	.	...	16·6
	Balaghat ...	From Decrees	..	2	...	53	55	..	2	4	2	1	..	23	3	16	10	55	..	..	...	...	17·4
		From Orders	..	...	...	10	10	...	...	...	..	1	2	3	...	..	4	10	..	...	...	..	15·5
	Jubbulpore ...	From Decrees	...	11	..	141	152	...	7	3	.	1	...	91	6	33	10	151	1	...	1	1	21·3
		From Orders	...	1	...	14	15	...	1	2	..	1	..	6	...	3	2	15	...	..	...	...	14·6
	Saugor ...	From Decrees	..	3	...	172	175	..	7	2	...	...	..	112	11	25	12	169	6	..	...	...	12·9
		From Orders	...	1	...	12	13	...	4	...	..	...	...	6	...	2	1	13	..	.	...	...	13·4
	Damoh ...	From Decrees	..	6	...	84	90	..	2	3	...	2	...	47	2	13	19	88	2	..	..	...	13·0
		From Orders	...	...	..	5	5	...	...	...	...	..	...	2	...	2	1	5	..	...	...	...	8·8
	Seoni ...	From Decrees	...	11	.	69	80	...	9	2	..	..	...	41	6	21	...	79	1	..	...	...	21·4
		From Orders	...	..	...	23	23	...	2	1	1	..	2	13	1	..	3	23	...	..	...	...	13·8
	Mandla ...	From Decrees	..	...	...	30	30	...	...	4	...	..	...	16	1	6	3	30	..	...	...	...	15·0
		From Orders	...	...	...	...	...	...	..	..	..	...	...	...	...	...	...	..	...	...	...	...	...
	Hoshangabad ..	From Decrees	...	43	...	315	358	...	27	8	3	13	8	171	19	53	31	333	25	...	5	4	25·7
		From Orders	...	1	..	37	38	...	7	12	...	13	...	1	...	3	1	37	1	..	...	..	17·3
	Betul ...	From Decrees	...	7	..	159	166	...	7	...	...	2	...	108	17	17	8	159	7	..	...	...	21·3
		From Orders	...	1	..	3	4	...	2	...	..	..	..	1	...	1	...	4	...	.	...	..	25·0
	Narsinghpur ...	From Decrees	...	20	...	309	329	...	13	22	4	4	...	161	16	42	49	312	17	...	...	...	19·3
		From Orders	...	...	...	51	51	...	3	2	...	3	.	22	2	10	7	49	2	...	...	...	13·9
	Chhindwara ...	From Decrees	..	5	..	136	141	...	25	10	3	8	...	53	20	15	..	134	7	..	..	...	20·8
		From Orders	..	...	...	15	15	..	4	2	1	...	...	2	...	1	5	15	..	...	..	...	13·9
	Nimar ...	From Decrees	...	1	...	107	108	..	8	1	1	1	..	60	15	11	11	108	...	..	..	...	13·2
		From Orders	...	..	...	9	9	...	..	3	...	3	...	3	...	..	..	9	..	...	...	...	5·8
	Raipur ...	From Decrees	..	12	...	141	153	...	7	...	...	...	..	97	9	19	17	149	4	...	1	...	24·0
		From Orders	...	...	...	3	3	..	2	...	..	..	...	1	...	..	..	3	.	...	...	...	19·0
	Sambalpur ...	From Decrees	..	4	...	46	50		7	..	...	...	...	25	...	8	8	46	4	...	...	..	25·0
		From Orders	..	...	...	...	...	...	...	..	...	...	...	...	...	..	..	..	..	...	...	...	...
	Bilaspur ...	From Decrees	..	8	...	106	114	...	12	5	1	2	..	56	10	18	6	110	4	..	...	...	22·9
		From Orders	...	...	..	..	...	..	...	...	...	...	...	...	..	..	...	...	...	...	...	..	...
	Upper Godavari.	From Decrees	...	1	..	1	2	...	1		...	...	..	...	..	1	...	2	...	...	1	1	71·0
		From Orders	...	...	...	...	..	..	...	..	...	...	..	...	...	...	...	...	...	...	...	...	...
Total in all Courts of the Deputy Commissioner ...		From Decrees	...	190	..	2,592	2,782	...	214	82	21	40	11	1,395	208	419	263	2,653	129	3	17	10	29·2
		From Orders	...	8	...	219	227	...	31	26	2	22	4	74	4	30	28	221	6	...	..	...	17·6
Total in all Courts ...		From Decrees Ordinary	..	256	.	3,053	3,309	...	230	94	24	46	23	1,549	251	487	355	3,059	250	64	30	18	32·9
		" Rent Law	...	35	...	216	251	...	23	12	1	4	3	80	5	25	26	182	69	26	...	..	69·3
		From Orders	..	18	...	306	324	...	36	59	2	21	7	94	8	42	36	308	16	4	...	..	23·1
		Grand Total	...	309	...	3,575	3,884	...	289	165	27	74	33	1,723	264	557	417	3,549	335	94	30	18	33·9

No.

Statement of Process Fees

COURTS.		(1) Fees levied. In separate detail for each Court.																							
		On processes directed to be served by European bailiff (Special Rule I.)																							
		At Rs. 2 rate.		At Rs. 1 rate.		On other processes issued. At Re. 1 rate.		At As. 8 rate.		At As. 4 rate.		For assisting in distraint (special Rule III.)		Additional fees. Under Special Rule IV.		Additional fees. Under Special Rule V.		Grand total of fees levied (Columns 2 to 9.)	
1		2		3		4		5		6		7		8		9		10	
		Rs.		Rs.		Rs.		Rs.	A.	Rs.	A.	Rs.	A.	Rs.	A.	Rs.	A.	Rs.	A.
Nagpur	Civil	182		368		4,923		3,226	0	11,[illegible]25	12	...	..	28	8	16	12	19,970	0
	Revenue	..		..		106		1[illegible]7	0	479	4	..	..	...	..	6	8	722	1
Chanda	Civil	..		..		675		650	4	15,23	0	...	..	3	8	...	..	2,853	1
	Revenue	...		..		97		15	4	77	12	...	...	...	..	...	..	190	0
Bhandara	Civil	..		...		741		1,274	0	1,85[illegible]	12	...		1	8	...	..	3,873	4
	Revenue	..		..		183		196	8	218	4	...	...	..	..	...	..	197	12
Wardha	Civil	..		...		2,397		1,854	0	4,93[illegible]	4	...	...	18	0	..		9,261	4
	Revenue	..		...		62		4[illegible]	8	479	0	..	..	..	..	...		583	8
Balaghat	Civil	...		..		161		448	1	897	4	..	..	...	..	...	..	1,506	4
	Revenue	...		...		32		55	0	89	8	...	..	...	..	..	..	176	8
Jubbulpore	Civil	13[illegible]		122		1,386		1,147	8	4,713	12	...	...	44	0	36	4	7,579	8
	Revenue	...		..		169		53	0	472	0	2	4	..	..	1	4	698	0
Saugor	Civil	...		...		1,331		1,475	8	3,520	4	...	...	8	12	17	12	6,953	4
	Revenue	...		..		99		86	8	226	8	...	...	...	..	...	...	412	0
Damoh	Civil	..		..		474		601	0	1,127	0	..	..	6	0	..	..	2,208	0
	Revenue	..		..		64		40	8	156	2	..	..	2	0	..	..	263	4
Seoni	Civil	..		...		280		228	0	1,086	12	...	...	...	...	...	...	1,594	12
	Revenue	...		..		23		9	0	102	4	..		...	...	...	...	134	4
Mandla	Civil	...		..		73		105	0	397	4	...	...	...	..	...	..	575	4
	Revenue	..		...		18		11	0	33	12	...	...	..		...	..	62	12
Hoshangabad	Civil	...		..		3,431		2,651	0	6,590	0	..	..	13	4	5	0	12,816	4
	Revenue	..		..		130		87	0	389	8	...	...	..	..	..	...	606	8
Betul	Civil	...		..		1,164		968	0	2,178	0	..	..	58	4	...	...	4,368	4
	Revenue	...		..		124		72	0	168	8	...	...	3	4	...	...	367	12
Narsinghpur	Civil	..		...		3,67[illegible]		2,341	0	4,707	4	..	..	376	4	209	0	11,302	8
	Revenue	...		..		404		280	0	688	4	...	...	8	0	..	.	1,380	4
Chhindwara	Civil	...		..		848		1,148	0	2,620	12	...	...	140	8	...	...	4,757	4
	Revenue	...		..		25		31	8	114	4	...	..	1	8	...	...	172	4
Nimar	Civil	..		..		1,290		1,376	8	4,363	4	...	..	8	4	...	..	7,538	0
	Revenue	..		...		24		35	0	8[illegible]	4	..	..	...	...	...	...	148	4
Raipur	Civil	...		..		941		672	0	2,037	12	...	...	...	..	...	...	3,650	1[illegible]
	Revenue	..		..		51		48	8	244	4	...	..	..	...	...	...	343	12
Sambalpur	Civil	...		..		270		238	0	1,020	8	..	...	..	...	...	...	1,528	8
	Revenue	..		..		55		32	8	231	12	..	[illegible]	...	...	...	..	319	4
Bilaspur	Civil	...		..		688		208	0	1,282	4	...	...	0	0	...	...	2,184	4
	Revenue	...		..		109		43	8	199	0	...	...	..	...	...	..	351	8
Upper Godavari	Civil	..		...		20		19	0	79	8	..	..	..	...	...	..	118	8
	Revenue	..		..		...		...	...	2	8	..	...	...	...	...	..	2	8
Total	Civil	312		490		25,364		21,130	12	56,162	4	...	..	838	12	267	12	1,04,[illegible]	[illegible]
	Revenue	...		...		1,775		1,276	12	4,462	4	2	4	14	12	1	12	7,532	12
Grand Total		312		490		27,140		22,407	12	60,622	4	2	4	853	8	283	8	1,12,112	4

VI.

or the year 1874.

(2) Charges.												
In separate detail for each Court or set of Courts having a joint establishment.									Collectively for the District.			
Naib Nazirs.		Peons.							Contingencies.			
			1st Class at Rs. 10		2nd Class at Rs. 8.		3rd Class at Rs. 6.					
Number.	Total salary.	Salary of European bailiff.	Number on last day.	Total salary.	Number on last day.	Total salary.	Number on last day.	Total salary.	Heads of charge, e. g. process forms, registers, other stationery, official postage, servers' badges, furniture, &c.	Charge under each head.	Grand total of all charges (columns 12, 13, 15, 17, 19 and 21.)	Remarks, as (1) Number of processes re-issued without charge (Special Rule VI.)
11	12	13	14	15	16	17	18	19	20	21	22	23
	Rs.	Rs.		Rs.		Rs.		Rs.		Rs.	Rs.	
7	1,659	720	9	1,277	6	797	85	7,154	Postage, printing, binding and stationery	1,069	12,667	376
1	179	..	1	112	3	351	17	1,420	Postage and peons' badges ...	2,400	2,086	49
2	358	..	3	360	8	288	21	2,054	Stationery, postage and peons' badges	30	3,360	39
3	538	...	1	112	6	509	36	2,523	Postage, printing and Railway charges ..	1,598	5,190	286
1	180	...	1	120	1	96	14	956	Postage ..	3	1,355	65
2	501	720	2	645	4	314	17	2,360	Postage and binding ...	144	4,651	42
3	660	...	3	352	4	353	33	2,535	Postage, printing and stationery ..	330	4,230	24
2	4[illegible]0	...	1	225	1	113	6	1,338	None ..	..	2,086	32
...	..	...	1	346	1	96	5	1,000	None ...	...	1,442	1
...	...	..	1	120	...	..	2	552	Postage, printing and binding	13	685	2
5	727	...	9	1,023	3	385	48	4,237	Postage, printing, binding, stationery and peons' badges ...	361	6,733	36
2	397	..	4	430	2	180	30	1,946	Postage, printing and peons' badges	66	3,019	72
3	600	...	3	350	5	540	20	4,190	None ...	...	5,680	101
2	419	..	4	446	2	191	14	1,853	Postage ..	25	2,934	75
2	41[illegible]	...	6	670	1	88	19	1,609	Postage, printing, binding, badges for peons and wax cloth	177	2,962	187
1	240	..	2	281	2	168	7	1,530	Postage and binding ...	22	2,241	...
...	..	...	1	120	1	96	4	640	None ..	..	856	...
2	353	..	2	224	2	188	4	1,240	None ...	...	2,000	78
...	...	..	...	...	..	..	1	111	Postage ..	1	112	5
...	...	..	...	...	..	..	...	..		..	...	...
38	7,630	1,440	54	7,213	47	4,748	383	39,246		4,016	64,289	1,467

No. 707/32

FROM

J. W. NEILL, ESQUIRE,

OFFG. SECRETARY TO THE CHIEF COMMISSIONER,

Central Provinces,

BENGAL SECRETARIAT

TO

THE REGISTRAR,

JUDICIAL COMMISSIONER'S COURT,

Central Provinces.

Dated Nagpur, the 28th February 1876.

SIR,

I am directed to acknowledge the receipt of the Judicial Commissioner's report on the working of the Civil Courts during the year 1875.

2. The number of Courts open was somewhat larger than in the preceding year; the new Courts being chiefly of the lowest grade and presided over by Naib Tahsildars. They were called into existence, partly for the sake of administrative convenience, partly because of an increase in the work to be performed. Except perhaps at Gadarwara, which is a town with a growing trade, the Courts that exist appear to be able to cope successfully with the work which is brought before them, and the Chief Commissioner will see whether it may not be possible to afford some relief to the Tahsildar of Gadarwara.

3. The Judicial Commissioner's remarks on the accommodation afforded by the present court-houses have the Chief Commissioner's attention. The possibility of improving the court-house at Nagpur will be considered in the Public Works Department, but no hope can be held out of a new court-house being erected. All intention of constructing a new building has been laid aside; the cost thereof would be very great, and with so many more urgent demands on the resources of the Administration, the Chief Commissioner could not think of incurring the expense.

As regards the Chhindwara court-house, which is also referred to in paragraph 6, measures have been taken to prop and strengthen it until a new building can be completed.

4. The amount of work that came before the Courts was larger than in any preceding year. In 1872 litigation seemed to have suffered some slight check, but a tendency to increase again showed itself in 1873, continued in 1874, and in the past year the number of suits instituted was 78,777. The increase is not very great, and it was mainly in the districts of Nagpur, Hoshangabad, Nimar, Seoni and Chhindwara. In none of them is it very great, and it is noticeable that the increase in Nagpur was confined mainly to the ordinary Courts at head-quarters, and that institutions in the Small Cause Court fell off.

5. The classification of suits according to their value shows results but slightly different from those of last year. Suits for smaller amounts have increased in slight proportion, and nine-tenths of all suits were for sums less than Rs. 100. The Judicial Commissioner has remarked that "the increase of litigation "has chiefly taken place in suits of the two lowest grades of value, and for the "most part in those places at which litigation has on the whole most increased." This is certainly so, and it is particularly noticeable how in Betul and Chhindwara the proportion of suits under Rs. 5 in value has increased, though in both districts the proportion of such suits is well above the average. In the eastern districts and in Mandla and parts of Balaghat, where money is least plentiful, the proportion of suits for Rs. 5 and less might be high; in the Nagpur district too with its two large towns of Nagpur and Kamptee and its two Courts of Small Causes a large proportion of very small suits would be natural, but it seems strange that in Chhindwara and Betul the proportion of such suits should be larger than in Chanda or Bhandara.

6. The nature of the suits instituted continues to be of a simple kind. 84 per cent of the whole were for money due on a bond or other contract, and the bulk of the suits are brought on written obligations.

7. In paragraph 22 the Judicial Commissioner shows that the suits instituted were apportioned among the grades of Judges in the following proportions. There came

		Per cent of whole.
Before Small Cause Courts ...	...	15·2
„ Naib Tahsildars ...	...	24·5
„ Tahsildars ...	...	38·4
„ Assistant Commissioners	...	21·5
„ Deputy Commissioners	...	·4

Tahsildars therefore perform most work, and after them Naib Tahsildars, but while there were 49 Tahsildars' Courts open, there were only 21 Naib Tahsildars' Courts, so that Naib Tahsildars did on an average more judicial work than officers of any other grade. It has to be remembered, however, that Naib Tahsildars when invested with judicial powers are generally permitted to devote their whole time to judicial work, while Tahsildars have many other duties to perform

There can be no question but that within the last two years the tendency has been to utilize Naib Tahsildars more extensively as Civil Judges, and as the increase in litigation is almost wholely confined to the suits of smallest value the more extensive employment of Naib Tahsildars is natural enough. Although these officers are not highly paid, it is believed that the pay is sufficient to attract men perfectly competent to hear and correctly dispose of the very simple and petty cases which come before them, and if that be so the employment of a more highly trained and more highly paid Judge would be wasteful. That these Naib Tahsildars are efficient may be judged from the absence of any complaint regarding them. Deputy Commissioners do not mention that they are in any way inferior to Tahsildars. Suitors appear to have no objection to go before them, and their more general employment has not resulted in any increase of appeals to Deputy Commissioners. On the contrary appeals have decreased in number, which would scarcely have been the case were the decisions of Naib Tahsildars held in light esteem.

8. The results of trials correspond very closely with last year's results. Of the suits disposed of—

27·5	per cent	were	decreed on confession.
18·3	„	„	dismissed for default.
13·9	„	„	compromised.
12·	„	„	decreed *ex parte*.
26·1	„	„	contested.

Contested suits are few in number, and it is remarkable that the proportion of such cases should be so large in the districts of the Chhattisgarh Division, and in Mandla where the proportion of very petty suits is so large. It is curious also to notice the difference that exists in this point between the Small Cause Courts of Nagpur and Kamptee, and those of the City and Cantonment of Jubbulpore. In the former the proportion of contested cases is below, in the latter it is considerably above the average; and in the same way the District Courts of Nagpur contrast with those of Jubbulpore.

9. In the matter of duration of suits the statistics appear to the Chief Commissioner to reflect favourably on the action of the Judges.

Contested suits were on an average disposed of in 24, uncontested suits in 16 days. These results are good, though, as the Judicial Commissioner says, in some districts greater despatch might still be shown. The Chief Commissioner is, however, inclined to attach more weight to the number of hearings of suits, and it appears that suits were on an average called on less than two times, not counting apparently the day on which the suit was instituted. From this it would appear that suitors and their witnesses are not harassed by frequent adjournments.

10. Appeals were somewhat fewer than in the preceding year; thus,—

	1874.	1875
To Deputy Commissioners ...	2,811	2,386
„ Commissioners ...	619	855

and in paragraph 37, it is pointed out that appeals have decreased not only in their actual number but also in their proportion to contested cases. In 1874 the percentage of appeals on contested cases was 17·1; in 1875 it was 16·1. Taking 100 appeals, in 55 the orders of the lower Court were confirmed, in 9 the appeal was dismissed for default, in 16 the proceedings were remanded for re-trial, in 9 the decision of the lower Court was modified, and in 20 it was reversed. And the proportion remains very nearly the same, whether the appeals considered be those to Commissioners from the higher class of Judges of original jurisdiction, or those to Deputy Commissioners from the lower classes of Judges.

11. The number of applications to execute decrees was 49,836, of which 12,728 are said to have been completely executed, 11,965 partially executed, and 20,507 not executed at all, the application being struck off or abandoned for the time being.

The manner in which execution was effected is thus shown :—

Warrants for attachment issued of moveable property	...	12,869
„ „ „ of immoveable property	...	7,603
while the number of sales of moveable property was	...	4,916
„ „ „ of immoveable property was	...	3,663

It thus appears that in a comparatively small proportion of cases only are decrees executed by the Courts themselves and satisfaction recorded on the decree, and this goes on year after year, whence the deduction seems to be that by many suitors a decree is sought as an investment, not as a means of obtaining the satisfaction of a claim.

12. In the table in paragraph 42 are shown the sales of ancestral property in land during the year in execution of money decrees. The total number does not exceed 215, of which a considerable proportion were sales of a field or two. Were these all the transfers of ancestral property during the year, there would be little ground to apprehend that in these Provinces the ancient land-holders are being dispossessed, but unfortunately the table can show only the number of sales of ancestral property in execution of decrees for money, and can take no notice of sales and mortgages of such property, while the Deputy Commissioners of those districts in which land-holders are most involved have been repeating for some years past that land-holders wishing to obtain loans are always obliged to mortgage their estates or effect a conditional sale of them. Still there is reason to believe that the efforts made by Commissioners and Deputy Commissioners to prevent the land from passing out of the hands of the old families have not been altogether unavailing, as well in cases such as are alluded to by the Judicial Commissioner in paragraph 41, as in cases which have not yet been brought before the Courts.

13. In conclusion, I am to thank the Judicial Commissioner for the present full, yet concise report, and for his direction and control of the Courts during the past year. Without careful and constant supervision on his part, the results which have been recorded in the report could not have been obtained.

I have the honor to be,

Sir,

Your most obedient Servant,

J. W. NEILL,

Offg. Secretary.

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I.—Description value Statement.
II.—Value Statement.
III.—Trial Statement.
IV.—Execution Statement.
V.—Appeal Statement.
VI.—Process Statement.

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1 2 76 C 25 375

No. 133.

FROM

THE REGISTRAR, JUDICIAL COMMISSIONER'S COURT,

Central Provinces,

To

THE SECRETARY TO THE CHIEF COMMISSIONER,

Central Provinces.

Dated Nagpur, 22nd January 1876.

SIR,

I have the honor to submit the report on the administration of Civil Justice in these Provinces for the year 1875, with the prescribed Statements as per margin.*

Imperial Statements.	*Provincial Statements.*
B. 1.—Tribunal Statement.	I.—Description Value Statement.
B. 6.—Number and description of Suits.	II.—Value Statement.
B. 7.—Value of Suits.	III.—Trial Statement.
B. 8.—Result of trials.	IV.—Execution Statement.
B. 9.—Appeals.	V.—Appeal Statement.
B. 10.—Execution of decrees.	VI.—Process Statement.
B. 11.—Juries and Assessors (blank).	

2. The subject is presented as usual in the following order :—

A.—The Tribunals, (Statement B. 1).

B.—The extent and character of litigation, (Statements B. 6, B. 7, I and II).

C.—The general distribution and result of the trial of suits in Courts of original jurisdiction, (Statements B. 8, and III).

D.—The Appellate business, (Statements B. 9 and V).

E.—Execution of Decrees, (Statements B. 10 and IV).

A.—THE TRIBUNALS.

	1874.	1875.
† Court of the Judicial Commissioner	1	1
Courts of the Commissioner	4	4
Courts of the Deputy Commissioner	19	19
Courts of the Assistant Commissioner	32	35
Courts of the Tahsildar	50	49
Courts of the Naib Tahsildar	16	21
	122	122
Courts of Small Causes in Cantonments	4	4
‡ Courts of Small Causes, Nagpur and Jubbulpore ...	2	2
Grand Total ..	128	135

3. The number of Civil Courts open at the close of 1874 and 1875 respectively, are compared in the margin.†

Exclusive of the above, the present Senior Assistant Commissioner at Nagpur continues to exercise the powers of a Deputy Commissioner, under Section 16 of the Central Provinces' Courts Act.

Naib Tahsildars' Courts.

4. It will be seen, that the tendency of Naib Tahsildars' Courts to increase in number, continues.

5. At 5 Sudder Stations, viz., Wardha, Chhindwara, Raipur, Bilaspur, and Khundwa, there is a Naib Tahsildar's Court, in addition to the ordinary complement of Courts of the Deputy Commissioner, Assistant Commissioner and Tahsildar. The Commissioner of the Nerbudda Division has some remarks showing that some further adjustment of the Courts in the Narsinghpur and Chhindwara Districts are necessary. Saosur was in 1874 deprived of a Naib Tahsildar in order that Gadarwara might be succoured, but while the Tahsildar at Saosur is now unable to cope with all his duties properly, matters at Gadarwara are still on an unsatisfactory footing.

‡ In each of the Courts of Small Causes at Nagpur and Kamptee, the Registrar sits as a second and separate Judge or Court.

6. The Local Reports give the usual accounts of the state and wants of Court Houses. A good deal of work is reported to have been done at some places during the year towards improving Court accommodation, and a good deal, as the Chief Commissioner knows, remains to be done. Complaint recurs in the Nagpur District Report of the Court House at Nagpur; owing to the iron roof and the want of an east upper verandah, the occupation of the upper rooms is in the hot weather either impossible, or attended with real suffering. It would be a great advantage if the long projected new District Court House were erected. At Chhindwara too; the Judicial Commissioner at his recent inspection, found that the best part of the District Court House had become too dangerous for occupation and had been consequently abandoned.

Court Houses.

Some Deputy Commissioners refer to wants which include those relating to record room accommodation, on which head it is now pertinent to remark, that under the rules which have of late years been brought into force for the destruction of useless records, the amount of judicial record room accommodation required is much less than it was formerly; new record rooms might probably be planned on half the old scale.

7. In regard to Law Libraries, the Reports note deficiencies, and the Commissioner of Jubbulpore has some remarks on the advantage of text books, but in your No. 407-14, dated 6th February 1875, the Chief Commissioner has ruled that "if any officer "wishes to have annotated editions of Acts, he should supply himself with them "at his own cost."

Law Libraries.

In one point there has been improvement, viz., in binding. Valuable works like the Acts of the Legislature are frequently materially injured by cheap country book binders. Accordingly, in order to the proper preservation of such works, the Judicial Commissioner has enjoined on Judicial Officers the propriety of having these works properly bound at Bombay, Calcutta, or elsewhere, and his suggestions on this head have in some places been acted upon.

8. The Form Department is now in fair order. The printing and lithographing of forms has somewhat improved, and better experience of requirements has led to the establishment of fair punctuality in supply. Two special, and very large, orders for new Forms in connection with (1) Police work, and (2) Money transactions of Courts, came in the way of introducing any further measures in connection with the times for submitting indents; and it is doubtful now whether any such measures will be, as was last year suggested, necessary.

Forms.

9. The arrear work of destroying useless Civil Records, under the new rules of this Office Circular XV of 1874, was completed everywhere during the course of the year; and the current work of eliminating old and useless records goes on, it is believed, everywhere month by month with regularity.

Destruction of Civil Records.

10. During the year the money transactions of the Courts were, by this Office Circular VI of 1875, brought under such regulation as results in the bulk of them being shown in the general accounts of Government, and incidentally the Civil Courts have at the same time under orders proceeding from the Accountant General, been charged with the Treasury duty of maintaining the corresponding Deposit Registers.

Deposit Registers.

11. Last year the desultory and irresponsible manner in which a good part of the ordinary work of the Courts is performed, by reason of the excessively low scale of the Ministerial Establishments in some places was adverted to, and the Judicial Commissioner

Ministerial Establishments.

addressed you specially on the subject in this Office No. 493, dated 23rd March 1875. Since then the Civil Deposit Registers have come to form a distinctly additional burden, though it is too soon to measure its precise net weight.

	Days.
Year	365
Deduct Holidays.	
December Vacation	31
Sundays in 11 months	48
Civil Courts' casual holidays	36
Close days	115
Open days	250

12. During the year, the Courts were open on 250 days as per margin.

The Local Bar.

13. The Local Bar consists of 2 Barristers-at-Law, both resident at Jubbulpore; 1 Attorney at Hoshangabad, and 50 Pleaders whose local distribution is ordinarily as follows:—

Town.	Number.
Nagpur	13
Bhandara	2
Wardha	5
Hinganghat	2
Arvi	1
Jubbulpore	5
Saugor	7
Damoh	2
Seoni	1
Hoshangabad	6
Narsinghpur	5
Burhanpur	1
Total ...	50

One additional certificate to plead was granted during the year.

Only persons having some permanent connection with the Central Provinces, are now allowed to appear for the Local Pleaders Examination; but at the same time, there would be no difficulty in properly qualified persons from other parts of the country obtaining a certificate to plead in the Courts of the Central Provinces.

B.—Extent and Character (Value and Description) of Litigation.

Increase in litigation as compared with 1874.

14. The next table shows that there is an increase of litigation during the year as compared with 1874, and that the number of suits instituted (including 1,896 re-institutions) was larger by 689 than it ever has been in any one year before.

Increase as contrasted with previous years.

The largest figure previously attained was 78,088 in 1871. In 1872 the figure dropped to 73,955, and after rising in 1873 and 1874 reached in 1875 the figure 78,777.

The table also shows that while in 9* districts all contiguous to each other in the north, east, and south of the Provinces, the litigation either decreased or was stationary, out of the remaining 10 central and western districts, the large increases occurred in the two contiguous districts of Seoni and Chhindwara, and in Nimar.

* Jubbulpore. Saugor. Damoh. Mandla. Narsinghpur. Raipur. Bilaspur Sambalpur. Upper Godavari.

Statement showing the number of suits instituted and re-instituted in the Civil Courts of the Central Provinces from 1862 to 1875.

Year.	Nagpur.				Chanda.	Bhandara.	Wardha.	Balaghat.	Jubbulpore.				Saugor.			Seoni.	Damoh.	Mandla	Hoshangabad.	Betul.	Nimar			Narsinghpur.	Chhindwara.	Raipur.	Bilaspur	Sambalpur	Upper Godavari.	Grand Total.
	District.	City Small Cause Court.	Cantonment Small Cause Court Kamptee.	Total.					District.	City Small Cause Court.	Cantonment Small Cause Court.	Total.	District.	Cantonment Small Cause Court.	Total.						District.	Cantonment Small Cause Court Asirgarh.	Total.							
1862..	3,349	1,622	1,612	6.583	667	1,750	658	...	1,619	315	504	2,438	2,313	601	2,914	806	760	369	2,016	1,039	..	..	..	2,121	705	1,326	163	315	7	24.666
1863..	3,020	1,436	2,338	6,794	687	1,634	592	..	1,385	1,321	686	3,392	2,380	572	2,952	973	729	201	2,202	1,142	..	...	..	2,691	1,038	820	222	201	35	26,305
1864..	2,647	1,692	1,706	6,045	716	1,699	490	..	1,230	1,683	612	3,525	2,109	1,161	3,270	1,280	859	354	3,183	1,228	4.398	..	4,398	2,542	870	1,221	707	275	42	2,697
1865..	2,974	1,288	806	5.068	649	2,076	927	..	1,734	1,739	455	3.928	2,741	709	3,150	1,343	1,377	563	5,887	1,156	3,854	...	3,854	3,558	1,303	1,573	1,781	695	66	39,254
1866..	3,286	2,320	1,017	6,623	1,021	2,420	1,216	..	1,405	1,636	481	3,522	2.988	720	3,708	1,185	1,289	421	5.279	1,194	7,561	...	7.561	3,416	1,345	1,379	2,896	594	163	45,250
1867..	3,390	3,289	1.323	8,002	1.219	2,934	1,893	303	1,685	1,662	296	3,643	2,724	389	3,113	1,263	1,709	380	5,427	1,979	5.541	27	5,568	3 272	1,990	1,406	3,762	592	89	48,544
1868..	4,566	4,060	2,083	10,709	1,636	2,798	3,057	810	1,699	2,052	541	4,292	3.612	559	4.171	1,394	1.031	401	5,494	2,732	6,508	244	6.752	4,125	2.770	1,659	3,406	538	125	58,558
1869..	5,529	4,415	3,454	13,398	2,006	2,814	3,724	925	1,441	1,984	514	3,939	4,052	835	4.887	1.387	1,760	528	5,068	2,354	7,854	293	8,147	4,535	3,340	1,982	1,298	886	159	63,137
1870...	5,648	4.880	3,407	13,935	2,587	3,596	4,277	727	1,725	2,435	445	4.605	4,003	692	4,695	2,185	1,693	656	6,750	2,702	7,689	165	7,854	5,657	4.027	3,123	1,866	959	289	72,183
1871..	6,761	5,300	2,594	14,661	2,937	3,507	6,169	1,236	2,278	2,499	463	5,240	3,132	699	3,831	2,619	1,783	569	6.695	3,207	8,551	118	8,669	6,385	3,616	3,194	2,381	1,112	286	78,088
1872..	6,060	5,061	2,779	13,900	2,072	3,122	5,485	989	2,313	2,400	511	5,224	2,652	672	3,324	1,904	1,343	679	7,219	3,249	9,572	174	9,746	5.593	3,537	2,644	2.561	1,087	277	73,955
1873..	6,315	5,709	2,428	14,452	2,161	2,663	6,051	1,191	1,985	2,254	437	4,676	2,979	432	3.411	1,692	2.066	661	7,918	3,278	7,808	147	7,955	6,369	3,633	2,657	2,081	1,427	252	74,594
1874..	6 904	6,104	2,837	15.845	2,039	2,707	6,839	1.319	2,106	2,493	445	5,044	3,328	302	3,630	1,450	1,744	690	7,522	2.983	7,480	90	7,570	6,265	3,729	3,662	2,085	1,337	179	76,639
1875..	7,310	5,993	2,885	16,188	2,235	2,812	7,061	1,503	2,012	2.278	421	4.711	3,381	281	3,662	1,863	1,541	630	7,927	3,225	8,208	62	8.270	5,756	4,464	3.358	2.043	1,354	169	78,777
Grades and number of Courts at the close of 1875. — Courts of the Deputy Commissioner..	1				1	1	1	1				1			1	1	1	1	1	1			1	1	1	1	1	1	1	19
Courts of the Assistant Commissioner	2				1	2	4	2				3			2	1	1	1	3	1			2	2	1	3	2	2	..	35
Courts of the Tahsildar ..	4				3	2	2	2				3			4	2	2	2	4	2			3	2	2	4	3	2	1	49
Courts of the Naib Tahsildar ..	2				1	2	3	...				1			1	.	..	..	2	1			1	3	1	1	1	1	...	21
Small Cause Courts and Registrars' Courts ...	4				..	..	...	..				2			1	..	..	..	..	..			1	...	..	...	..	..		8
Total ...	13				6	7	10	5				10			9	4	4	4	10	5			8	8	5	9	7	6	2	132

I.—Increase and Decrease of litigation:

15. The following table shows the fluctuations of business during the last three years in the Courts at each locality where they are established :—

Comparative table of suits instituted and re-instituted.

Locality of Courts.		Number of suits instituted and re-instituted.		
		1873.	1874.	1875.
Nagpur ...	Nagpur	1,900	2,267	2,580
	Court of Small Causes, Nagpur	5,709	6,104	5,993
	Total ...	7,609	8,371	8,573
	Kamptee	2,428	2,837	2,885
	Katol	2,141	2,153	2,159
	Ramtek	1,559	1,425	1,550
	Umrer	715	1,059	1,021
Chanda ...	Chanda	736	596	693
	Warora	694	716	682
	Mul	430	278	324
	Brahmapuri	301	449	536
Bhandara ...	Bhandara	1,304	1,327	795
	Tirora	893	794	1,353
	Sakoli	466	586	664
Wardha ...	Wardha	2,755	3,447	3,503
	Arvi	2,132	1,984	2,186
	Hinganghat	1,164	1,408	1,372
Balaghat ...	Burha	1,083	1,135	1,396
	Behir	108	184	112
Godavari ...	Sironcha	135	162	169
	Dumagudium	117	17	...
Jubbulpore...	Jubbulpore	858	824	905
	Court of Small Causes, City Jubbulpore ...	2,254	2,493	2,278
	Do Cantt. do. ..	437	445	421
	Total ...	3,549	3,762	3,604
	Murwara	273	357	322
	Sihora	854	925	785

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Locality of Courts.		Number of suits instituted and re-instituted.		
		1873.	1874.	1875.
Saugor ...	Saugor	1,486	1,559	1,539
	Court of Small Causes, Saugor Cant ..	432	302	281
	Kurai	492	619	705
	Rehli	748	815	929
	Banda	253	335	208
Damoh ...	Damoh	1,577	1,298	1,202
	Hatta	489	446	339
Seoni ...	Seoni	1,186	1,112	1,446
	Katangi	164	...	...
	Lakhnadon	342	338	417
Mandla ...	Mandla	618	631	504
	Ramgarh	43	59	126
Hoshangabad ...	Hoshangabad	3,468	2,263	2,006
	Seoni	725	805	803
	Harda	1,593	2,776	3,044
	Sohagpur	2,132	1,678	2,074
Betul ...	Betul	1,733	1,732	1,994
	Multai	1,545	1,251	1,231
Narsinghpur ...	Narsinghpur	2,725	2,833	2,651
	Chawarpatha	504	566	512
	Gadarwara	3,140	2,866	2,593
Nimar ...	Khandwa	4,514	4,327	4,842
	Burhanpur	2,540	2,506	2,582
	Mortakka	754	647	784
	Court of Small Causes, Cantonment Asirgarh	147	90	62
Chhindwara ...	Chhindwara	2,595	2,273	2,913
	Saosar	1,038	1,456	1,551
Raipur ...	Raipur	1,556	2,132	2,115
	Drug	286	362	374
	Dhamtari	399	525	349
	Simga	416	643	520
Sambalpur ...	Sambalpur	1,115	795	906
	Bargarh	312	542	448
Bilaspur ...	Bilaspur	1,244	1,354	1,329
	Mungeli	513	502	465
	Seorinarain	324	229	249
	Total ...	74,594	76,639	78,777

Allowing for differences arising out of special distributions of business between Courts in the same district, the more notable points in the above table concern the steadier increases of business during the last three years at Brahmapuri, Burha, Kurai, Rehli, Seoni (Chhapara), Hurda, Betul, Chhindwara and Saosur.

The Local Reports duly remark on the fluctuations of business, but although special endeavour has been made very generally during the last few years to discern the causes of the more violent fluctuations, it cannot be said that true specific causes therefor of a kind which would call for special treatment have been discovered, and in view of the Chief Commissioner's desire for brevity, the remarks by Deputy Commissioners on the subject are not this year reproduced in this place, nor has the Judicial Commissioner himself anything special to say or to suggest on this part of his subject on this occasion.

If our more heavily worked Judges (and they form a majority) had more time to sift what comes before them, possibly creditors might show less readiness to resort to the Courts for the recovery of their numerous smaller claims, but as the Administration is constituted, the Judicial Commissioner believes that the Judges are not in any general manner chargeable with neglect to do what lies in their power and is incumbent on them to prevent the agency of our Courts for the recovery of petty debt from being abused, and it does not seem possible at present by any new administrative effort to control, and in any material degree to restrict, the flow of litigation to our Courts. As remarked, however, by the Commissioner Nerbudda Division "District Officers are right "to try their best to account for important fluctuations, the difficulty of the "task notwithstanding. The mere effort seriously undertaken to deal with a "complex matter of the kind must increase a Deputy Commissioner's local ad-"ministrative knowledge and value, and while the presentation of the whole of "the antecedents of the ebb and flow of litigation is a task beyond the most "able grasp, still a deliberate consideration of that ebb and flow will not fail "to add something to a knowledge of local affairs, and to help towards discovery "and remedy of defects of court practice."

II.—Value of Suits.

Relative value of suits disposed of.

16. The relative value of suits *disposed of* in the years 1874-75, are compared in the following table :—

Grades of value not exceeding.	Number of suits disposed of in 1874.	Number of suits disposed of in 1875.	Percentage of total suits. 1874.	Percentage of total suits. 1875.	Average value. 1874.	Average value. 1875.
					Rs.	Rs.
Rs. 5	12,017	12,676	15·5	16·3	3·3	3·3
" 20	27,314	28,223	35·4	36·2	12·1	12·2
" 100	29,514	29,049	38·2	37·2	43·4	44
" 500	7,244	6,894	9·4	8·8	180	191
" 1,000	638	621			709	684
" 5,000	435	483	1·5	1·5	1,951	1,912
" 10,000	42	47			7,021	6,814
Exceeding Rs. 10,000	21	22			20,542	1,48,899
Total ...	77,225	78,015	100·	100·	64·5	101·6

Observations on values of suits by districts.

17. The following table presents the subject in detail of districts :—

Percentages of suits [disposed of] of the several classes of value.

Districts.		Not exceeding Rs. 5.	Not exceeding Rs. 20.	Not exceeding Rs. 100.	Not exceeding Rs. 500.	Exceeding Rs. 10,000.
Nagpur ...	1875	19·4	37·4	34·4	7·5	1·3
	1874	19·4	38·5	33·6	7·3	1·2
Chanda ...	1875	12·8	38·1	41·2	7·2	·7
	1874	12·4	39·3	40·6	6·7	1·
Bhandara ...	1875	11·1	36·7	43·2	8·2	·8
	1874	14·5	34·7	40·	10·1	·7
Wardha ...	1875	12·8	35·	40·8	10·2	1·2
	1874	12·3	36·3	40·8	9·2	1·4
Balaghat ...	1875	17·3	36·	37·9	7·5	1·3
	1874	21·5	33·3	35·3	8·1	1·8
Upper Godavari ...	1875	30·3	44·2	21·6	3·9	...
	1874	31·6	42·8	20·9	4·1	·6
Jubbulpore ...	1875	14·3	36·	36·5	10·6	2·6
	1874	13·2	32·6	39·4	12·4	2·4
Saugor ...	1875	12·3	35·9	39·5	10·2	2·1
	1874	10·2	32·3	42·7	12·5	2·3
Damoh ...	1875	11·9	39·8	37·	10·	1·3
	1874	12·6	37·	39·8	9·8	·8
Seoni ..	1875	16·6	38·7	34·9	7·6	2·2
	1874	16·	37·1	38·7	7·	1·2
Mandla ...	1875	21·	39·5	34·5	4·8	·2
	1874	19·7	37·5	36·	6·	·8
Hoshangabad ...	1875	12·5	31·2	39·4	14·1	2·8
	1874	10·8	30·8	42·1	13·8	2·5
Betul ...	1875	18·2	37·2	36·	7·3	1·3
	1874	15·7	36·7	38·9	7·7	1·
Narsinghpur ...	1875	10·5	33·5	45·2	8·8	2·
	1874	9·8	32·	45·	11·3	1·9
Chhindwara ...	1875	20·3	37·6	36·7	5·4	·6
	1874	18·6	36·7	37·6	6·2	·9
Nimar ...	1875	17·7	37·2	35·9	8·4	·8
	1874	15·7	35·8	38·8	8·8	·9
Raipur ...	1875	20·1	36·3	33·2	8·5	1·9
	1874	20·5	35·5	32·6	9·8	1·6
Sambalpur ...	1875	23·1	39·4	31·6	5·5	·4
	1874	24·2	35·9	33·8	5·7	·4
Bilaspur ...	1875	27·2	37·4	25·6	8·3	1·5
	1874	26·2	35·1	28·	8·8	1·9

These tables show that while the average value of the mass of suits has been nearly stationary, the increase of litigation has chiefly taken place in suits of the two lowest grades of value, and for the most part in those places at which litigation has on the whole most increased.

The large increase in total average value is owing to a few suits of specially large value including one at Hoshangabad valued at Rs. 25,24,150.

III.—Description of Suits.

Comparison of numbers and proportion of suits 1874-75.

18. The following table comparing the number and proportion of suits of the principal kinds during 1874 and 1875, is prepared from Statement No. I.

Suits for.	1874.		1875.	
	Number of suits.	Percentage of total suits.	Number of suits	Percentage of total suits.
Money due on bond or other contract ...	64,718	83·8	65,777	84·3
Recovery of moveable property or value thereof ..	6,540	8 5	6,664	8·5
Damages	1,894	2·5	1,789	2·3
Immoveable property	2,501	3·2	2,427	3·1
Rent not falling under the Rent Law ...	561	·7	639	·8
Other claims	1,011	1·3	719	1·
Total ..	77,225	100·	78,015	100·

Distribution of suits under sub-heads.

19. The distribution of suits under the several sub-heads of contract in the returns for the two years, is contrasted below :—

Sub-heads of suits for money due for breach of contract.	1874.		1875.	
	Number of suits under each sub-head.	Percentage of total suits for money due for breach of contract.	Number of suits under each sub-head.	Percentage of total suits for money due for breach of contract.
On written obligation	39,271	60 7	40,205	61 1
On unwritten obligation	12,158	18·8	12,701	19·3
On account stated	1,719	2·6	1,416	2·2
For money paid or received ...	1,084	1·7	841	1·3
For goods sold and delivered ...	9,317	14·4	9,674	14·7
For breaches of contract not included above	1,169	1 8	940	1·4
Total ...	64,718	100·	65,777	100·

20. The statistics of each district for 1875, for the main classes of suits, are given in the following table :—

Classification of suits under main heads.

Districts (Small Cause Court figures being included.)	Total suits disposed of.	For money due. On written obligation. Number.			Percentage of suits disposed of.			On unwritten obligation. Number.			Percentage of suits disposed of.			For goods sold and delivered. Number.			Percentage of suits disposed of.			For recovery of moveable property or value thereof. Number.			Percentage of suits disposed of.			For damages. Number.			Percentage of suits disposed of.			For immoveable property. Number.			Percentage of suits disposed of.		
		1875	1875	1874	1875	1875	1874	1875	1875	1874	1875	1875	1874	1875	1875	1874	1875	1875	1874	1875	1875	1874	1875	1875	1874	1875	1875	1874	1875	1875	1874	1875	1875	1874	1875	1875	1874
Nagpur ...	16,077	9,289	57·8	57·3	2,389	14·9	15·4	2,408	15·0	15·4	583	3·6	4·0	299	1·9	1·4	416	2·6	2·1																		
Chanda ...	2,173	1,374	63·2	58·8	220	10·1	7·5	144	6·6	6·1	231	10·6	14·9	57	2·6	3·6	28	1·3	1·6																		
Bhandara ..	2,793	1,692	60·6	54·6	329	11·8	10·8	132	4·7	7·3	450	16·1	17·0	48	1·7	2·8	49	1·8	2·0																		
Wardha ...	7,075	3.634	51·3	51·5	1,279	18·1	17·9	923	13·0	12·5	448	6·3	6·8	112	1·6	1·6	172	2·4	3·0																		
Balaghat ...	1,421	672	47·3	38·4	309	21·7	21·5	50	3·5	5·0	193	13·6	19·0	67	4·7	5·8	27	1·9	1·9																		
Jubbulpore ..	4,718	1,878	39·8	40·6	857	18·2	16·7	737	15·6	15·4	196	4·2	5·1	172	3·6	3·1	249	5·3	6·1																		
Saugor ...	3,546	1,750	49·4	49·2	467	13·2	10·7	382	10·8	9·5	471	13·3	14·9	49	1·4	1·0	133	3·8	4·7																		
Damoh ...	1,569	833	53·1	51·4	165	10·5	11·8	107	6·8	6·9	238	15·2	14·5	49	3·1	2·2	82	5·2	6·0																		
Seoni ...	1,866	716	38·4	35·9	450	24·1	28·0	212	11·4	9·7	247	13·2	12·7	116	6·2	5·8	60	3·2	3·2																		
Mandla ...	620	170	27·4	24·5	191	30·8	28·8	95	15·3	16·9	65	10·5	10·5	42	6·8	7·1	8	1·3	1·7																		
Hoshangabad	7,745	3,537	45·7	52·0	1,534	19·8	15·5	529	6·8	6·4	1,591	20·5	13·2	67	0·9	2·0	226	2·9	2·9																		
Betul ...	3,231	1,620	50·1	49·9	670	20·7	18·0	387	12·0	10·9	164	5·1	5·9	115	3·6	3·7	92	2·8	3·0																		
Narsinghpur..	5,811	3,592	61·8	61·0	701	12·1	15·8	434	7·5	5·9	339	5·8	4·4	90	1·5	1·5	343	5·9	4·5																		
Nimar ...	8,124	4,754	58·5	56·7	1,111	13·7	12·5	1,412	17·4	17·8	253	3·1	2·9	79	1·0	1·5	138	1·7	1·9																		
Chhindwara ..	4,429	2,394	54·1	53·0	720	16·3	16·9	418	9·4	7·5	342	7·7	9·7	85	1·9	2·3	160	3·6	3·8																		
Raipur ...	3,306	1.112	33·6	33·2	784	23·7	20·0	537	16·2	16·7	411	12·4	15·3	167	5·1	5·6	141	4·3	3·6																		
Sambalpur ...	1,319	495	37·5	34·4	154	11·7	14·7	243	18·4	13·9	203	15·4	17·0	70	5·3	6·8	60	4·5	6·6																		
Bilaspur ...	2,011	639	31·8	28·2	340	16·9	20·2	465	23·1	20·8	230	11·4	11·0	100	5·0	4·8	43	2·1	4·3																		
Upr. Godavari	181	54	29·8	29·2	31	17·1	13·1	59	32·6	35·7	9	5·0	7·2	5	2·8	3·5	...	...	·6																		
Total ...	78,015	40,205	51·5	50·9	12,701	16·3	15·7	9,674	12·4	12·1	6,664	8·5	8·5	1,789	2·3	2·5	2,427	3·1	3·2																		

Some districts show increased proportions of suits on written obligation, together with diminished proportions of suits on unwritten obligation.

In some places it may be that people are taking more to reducing their contracts to writing, as in Sambalpur and Bilaspur ; but the rêports are such as preclude reliable conclusions of this kind, the fact being that although the Courts no doubt distinguish correctly "unwritten" from "written" obligations, yet it is in practice very difficult to obtain statistics accurately distributing suits between the headings "for money due on written obligation," and some other headings ; and as in Hoshangabad, the incorrect statistics of one year come to be compared with the more correct statistics of another year and *vice versa.*

With regard to the comparatively large number of suits in the Hoshangabad District Courts, under the head of suits for moveable property or the value thereof, the Deputy Commissioner says that more than 80 per cent of these are suits for the recovery of grain, and adds that the dealings in grain are "more ex-" tensive than other transactions," and are even yet on the increase.

IV.—Description and Value (together) of suits.

Relative value of the principal description of suits.

21. The table below shows the relative value of suits of the principal descriptions :—

Description of suits.	No.	Percentage of Suits not exceeding				Suits above	
		Rs. 5	Rs. 20	Rs. 100	Rs 500	Rs. 500	Total.
On written obligation ..	40,205	4·2	33·9	49·5	10·9	1·5	100
On unwritten obligation ...	12,701	29·9	43·4	21·5	4 2	1·	100
For goods sold and delivered ...	9,674	45·7	39·2	13·4	1·6	·1	100
For moveable property or value thereof ...	6,664	17·9	38·	34·8	8·4	·9	100
Damages ...	1,789	19·4	38·2	35·	6·6	·8	100
Immoveable property ...	2,427	14·8	28·7	33·6	16 7	6·2	100

The table exhibits no particular new feature.

Although the percentage of suits not exceeding Rs 5 in value on "written "obligation" is, as might be expected, comparatively low yet the number of suits represented thereby viz., 1,708 out of a total of 12,676 suits not exceeding Rs. 5 in value is sufficiently large.

Damages continue to be laid in a large proportion of cases for very small sums, and the immoveable property sued for is also, in a large proportion of cases, of very small value.

C:—The General Distribution and Result of Trial of Civil Suits by the Courts of Original Jurisdiction.

I.—Distribution.

22. The following table shows how suits disposed of were distributed among the different classes of courts in the several districts :—

Total number of Judges.		8	21	49	35	19		
Districts.		Small Cause Courts.	Naib Tahsildars.	Tahsildars.	Assistant Commissioners.	Deputy Commissioners.	Commissioners' Courts.	Total.
Nagpur		3,844	2,372	2,800	2,021	40	...	16,077
Chanda		...	381	1,137	649	6	...	2,173
Bhandara		...	1,141	1,227	419	6	...	2,793
Wardha		...	3,872	2,154	1,045	4	...	7,075
Balaghat		...	...	697	674	50	...	1,421
Jubbulpore		2,699	520	1,015	474	10	...	4,718
Saugor		275	439	1,661	1,163	8	...	3,546
Damoh		...	...	1,101	458	10	...	1,569
Seoni		...	...	1,494	344	28	...	1,866
Mandla		...	...	502	116	2	...	620
Hoshangabad		...	2,082	4,236	1,413	14	...	7,745
Betul		...	732	1,532	936	31	...	3,231
Nimar		64	1,213	2,903	3,873	71	...	8,124
Narsinghpur		...	2,741	1,288	1,758	24	...	5,811
Chhindwara		...	1,130	2,646	635	18	...	4,429
Raipur		...	1,363	1,633	309	1	...	3,306
Sambalpur		...	275	837	198	9	...	1,319
Bilaspur		...	805	928	275	3	...	2,011
Upper Godavari		...	...	167	...	14	...	181
Total ...	1875 ...	11,882	19,066	29,958	16,760	349	...	78,015
	1874 ...	12,275	13,564	34,442	16,574	368	2	77,225
Percentage ...	1875 ...	15·2	24·5	38·4	21·5	·4	...	100
	1874 ..	15 9	17·6	44·6	21·4	·5	...	100
	1873 ...	15·2	11·4	45·6	27·3	·5	...	100
	1872 ...	15·8	12·4	31·7	39·7	·4	...	100

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The following table shows the proportions in which suits of the several grades of value were disposed of by the various classes of Judges.

Judges.		Registrars of Courts of Small Causes.	Judges of Courts of Small Causes.	Naib Tahsildars.	Tahsildars.	Assistant Commissioners.	Deputy Commissioners.		REMARKS.
Number of Judges.		2	6	21	49	35	19		
Salary of Judges.		Rs. 160 and 200.	*Rs. 700 to 1,000.	Rs. 50 to 75.	Rs. 130 to 200.	Rs. 400 to 700.	From Rs. 833 to 1,833.		
Grades of value of suits.	Total number of suits disposed of	Percentage of suits disposed of before each class of Judge.						Total.	
Not exceeding Rupees 5	12,676	17·5	4·4	38·	34·4	5·6	·1	100	*This includes the Judge, Asirgarh Cantonment, who receives a Staff allowance of Rs. 200.
Do. " 20	28,223	12·0	5·3	35·4	38·3	8·9	·1	100	
Do. " 100	29,049	...	12·3	14·7	44·4	28·4	·2	100	
Do. " 500	6,894	...	9·2	...	27·0	62·8	1·0	100	
Do. " 1,000	621	...	5·3	...	...	91·8	2·9	100	
Do. " 5,000	483	...	...	...	...	73·5	26·5	100	
Do. " 10,000	47	..	...	...	...	2·1	97·9	100	
Do. " 1,00,000	19	...	...	...	..	...	100·	100	
Exceeding " 1,00,000	3	...	...	...	...	...	100·	100	
All Grades ...	78,015	7·2	8·0	24·5	38·4	21·5	·4	100	

23. It will be seen that 1-4th of all suits are now disposed of by Naib Tahsildars. Whatever the right view may be as to judicial business being largely entrusted to so small salaried a class of officials as that of Naib Tahsildars, it would seem certain that the fact of their judicial business having largely increased during recent years, and in a ratio much larger than that of the increase of suits generally, indicates a growing pressure on the higher Officers of the Administration in districts to rid themselves of the weight of judicial work. Assistant Commissioners unable to bear the weight of nearly 40 per cent of the whole civil business in 1872 shifted in 1873 a third part thereof on to Tahsildars.

Remarks on the distribution of business.

In 1873 Assistant Commissioners again found themselves with more business than they could get through and made in 1874 a further transfer downwards to the extent of more than one-fifth, but this time Tahsildars unable to bear this extra burden passed it on to Naib Tahsildars, and in 1875 had further to lighten themselves by another similar transfer.

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II.—Results of Trial.

24. The general results of the trial of the 78,015 suits disposed of were :—

	Number of suits.	Proportion per cent.	Corresponding proportion per cent in 1874.
Plaints rejected or returned...	489	·6	·6
Transferred to other Districts or Small Cause Court jurisdiction ...	...		
Disposed of without Contest.			
Decreed on confession	21,460	27·5	26·8
Dismissed for default	14,267	18·3	17·9
Compromised	10,829	13·9	14·9
Decreed *ex-parte*	9,346	12·	11·6
Withdrawn with leave	951	1·2	1·3
Dismissed *ex-parte*	358	·4	·5
Total uncontested ...	57,211	73·3	73·0
Contested and Judgment given for.			
Plaintiff in whole	8,829	11·4	11·3
Do. in part	6,417	8·2	8·3
Defendant in whole	5,069	6·5	6·8
Total contested ...	20,315	26·1	26·4

25. The following table shows the proportions of contested suits in districts and Courts of Small Causes for 1874 and 1875 :—

Contested suits.

Districts and Small Cause Courts.	1874.	1875.
Nagpur	23·3	22·7
Principal Court of Small Causes, Nagpur	23·5	24·7
Court of Small Causes, Kamptee Cantonment	19·1	19·6
Chanda	29·9	28·2
Bhandara	21·2	24·1
Wardha	25·3	25·5
Balaghat	26·3	26·7
Jubbulpore	39·2	33·4
Principal Court of Small Causes, Jubbulpore	41·7	34·2
Court of Small Causes, Jubbulpore Cantonment	34·6	29·7
Saugor	28·7	24·1
Court of Small Causes, Saugor Cantonment	29·2	26·2
Damoh	27·4	26·4
Seoni	33·7	24·3
Mandla	30·5	33·5
Hoshangabad	25·3	22·9
Betul	27·4	25·9
Narsinghpur	28·6	34·4
Chhindwara	28·7	27·1
Nimar	19·6	17·3
Court of Small Causes, Asirgarh Cantonment	17·0	31·2
Raipur	27·5	38·4
Sambalpur	33·4	36·8
Bilaspur	29·4	31·1
Upper Godavari	17·8	22·6
Total ...	26·4	26·1

26. The proportion of suits dismissed for default was highest in the Courts in the districts of Jubbulpore, Damoh, Hoshangabad, Nimar, and Bilaspur. The remarks on the subject in the local reports, indicate that in some degree dismissals in default are excessive owing to irregularities in court, and that these irregularities are not always avoidable when they are occasioned primarily by suspensions in the sittings of courts, and re-distributions of business consequent upon removals and changes in the *personnel* of judges.

Defaults.

27. The proportion of suits decreed on confession has risen, one reason no donbt being the increase which has taken place in suits of the smallest values. The proportions are highest in the Courts of the districts of Chanda, Balaghat and Nimar. Last year the tendency in the Nimar Courts of contests to give way to confessions was adverted to, this year the tendency has continued; litigation at the same time largely increasing. The Deputy Commissioner is unable to offer explanation, and the statistical aspect of the Nimar Courts remains somewhat peculiar—only 17·4 per cent. of all suits being decided on contest—a proportion less than shown by any other district. At the same time the ground for apprehension which last year's figures afforded that this pecularity might arise out of undue frequency of orders for payment by instalment, does not exist to the same extent this year as will be seen further on.

Confessions.

The Deputy Commissioner of Chanda makes remarks which afford ground for the belief, that the somewhat large proportion of decrees on confession in the Courts in that district is not due to anything objectionable or neglectful in the procedure of the Courts. The Deputy Commissioner of Balaghat has some remarks in like sense, but had only joined the district at the close of the year.

28. The number of *exparte* suits dismissed in the Courts of the Chhindwara District is large in proportion to the total number decreed *exparte*, giving a specially large proportion of 11 per cent. Most of the dismissals occurred in the Court of the Naib Tahsildar. This is somewhat remarkable, the Deputy Commissioner does not comment upon it, and the feature, good in itself, is not damaged by any indications in the appeal statement.

Exparte.

Decrees *exparte* were proportionately most frequent in the two adjacent Districts of Hoshangabad and Narsinghpur. The Deputy Commissioner of Hoshangabad has some remarks which are on the whole of an unfavourable tenor, but they do not indicate with precision the cause of those *exparte* decisions which are in any degree to be regretted.

29. The general proportion of contested cases has been stationary for the last 3 years, and though higher than previously is still too low. Its rise during the year under report has been prevented by some large fallings off in the Districts of Jubbulpore, Saugor, Seoni, Hoshangabad and Nimar. The Deputy Commissioner of Seoni, however, explains the falling off in his figures to be owing to the figures for the previous year having been incorrectly shown higher than they really were.

Contested Suits.

30. The number of suits in which any matter was decided on oath of party or witness has considerably risen and stands highest in the Court of Small Causes Nagpur,* and in the Courts of the Nimar† District.

Decisions on oath of party or witness.

* 114
† 221

31. Costs were not quite so frequently decreed this year against a winning plaintiff, still the number 4,003 is not small and shows that the Courts are not negligent in the just apportionment of costs. The highest numbers are shown by the Small Cause Court Nagpur, (352), and Jubbulpore (379). The figures for the Balaghat and Mandla Districts are probably too low.

Costs on Plaintiffs.

32. Orders for instalments under Section 194 Code of Civil Procedure have also fallen off, but they are probably now passed with sufficient frequency, and the falling off in Nimar from 1,343 to 667 probably indicates improved practice.

Payment by instalments.

33. A good feature in the statistics is the decreased average durations, which stand at 24·3 and 16·3 days for contested and uncontested suits respectively. Durations, however, are still too high in some Courts, especially in the Courts of the Districts of Nagpur, Chanda, Seoni, Hoshangabad and Saugor, and experience shows that durations such as are shown in these districts are susceptible of reduction under proper method.

Duration of Suits.

34. The pending files are nowhere excessive, indeed looking to average durations and institutions they might be higher without exciting remark ; thus in Nimar with 8,244 suits for disposal and average durations of 24 days for contested and 17·4 for uncontested suits, or say 19 days for all suits, the number of suits pending, viz. 184 at the end of the year may be said to be abnormally small. The same may be said of the Wardha and Chhindwara statistics, but it is believed that nowhere do the Courts aim at showing small pending files by any objectionable practice such as discountenancing institutions during the last days of the year.

Suits pending.

D.—The Appellate Business.

Appeals to Commissioners and Deputy Commissioners.

35. Appeals from decrees and orders of Original Courts decreased thus:—

	Courts of Deputy Commissioners.		Courts of Commissioners.		Total.	
	1874.	1875.	1874.	1875.	1874.	1875.
Appeals from decrees of Civil Courts ...	2,592	2,197	337	589	2,929	2,786
Do. Do. Orders ...	219	189	78	68	297	257
Appeals to Civil Courts under the Rent Law.	...	...	204	198	204	198
Total ...	2,811	2,386	619	855	3,430	3,241

The shifting of appellate business as shown above from the Courts of Deputy Commissioners to the Courts of Commissioners has chiefly affected the Courts of the Deputy Commissioner in the Nagpur and Wardha Districts, and the Court of the Commissioner of the Nagpur Division, in which there were 363 institutions as compared with 132 in 1874 But the files in the Courts of the Deputy Commissioner at Nagpur and Wardha were still pretty full, that of the Court of the Deputy Commissioner of Wardha having 254 new institutions or

more than any Court of the same grade except the Courts of the Deputy Commissioner at Hoshangabad and Narsinghpur; and the Court of the Deputy Commissioner Nagpur also having 162 new institutions, being more than any other Court of the Deputy Commissioner except the three Courts of the Deputy Commissioner named above, and the Court of the Deputy Commissioner of Nimar.

Increase of Appellate business in the Court of Commissioner, Nagpur Division

36. The Commissioner of Nagpur complains of his Court being overweighted during the year, but the Appellate business in it will be much lighter now owing to a re-distribution of original business in the Court of the Assistant Commissioner at Nagpur. Some part of the excess of business in the Court of the Commissioner at Nagpur during the year also occurred through a doubling of the ordinary number of institutions of Appeals during the 3rd quarter of the year, which circumstance was probably exceptional.

Decrease of Appellates business in reference to contested suits

37. On the whole it will be seen that Appeals have decreased both in their actual number and in their proportion to contested cases, as is shown in the subjoined table :—

DIVISION.	Courts of Commissioners and Deputy Commissioners.					
	Number contested &c.		Number of Appeals.		Percentage of Appeals.	
	1874	1875.	1874	1875.	1874	1875
Nagpur	4,955	5,154	846	864	17 0	16 8
Jubbulpore	3,013	2,538	641	505	21 2	19 9
Nerbudda	7,085	7,210	1,120	1,094	15 8	15 2
Chhattisgarh	2,097	2,381	322	323	15 3	13 5
Total ...	17,150	17,283	2,929	2,786	17 1	16·1

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Disposal of Appeals.

38. The following table shows how Appeals were disposed of (otherwise than by transfer) :—

	Application for special appeals rejected.	Dismissed for default.		Remanded for retrial.		Decree of Lower Court.						Total disposed of.
						Modified.		Reversed.		Confirmed.		
		Number.	Percentage of total appeals disposed of.	Number.	Percentage on column 13.	Number.	Percentage on column 13.	Number.	Percentage on column 13.	Number.	Percentage on column 13.	
1	2	3	4	5	6	7	8	9	10	11	12	13
Court of the Judicial Commissioner ...	177	...	...	82	53·	3	2·	45	29·	25	16·	*332
Courts of the Commissioner												
Nagpur		28	10·	39	16·	23	10·	63	26	116	48·	269
Jubbulpore		6	2·	21	9·	31	14·	42	18·	136	59·	236
Nerbudda		23	10·	38	20·	18	9·	42	21·	98	50·	219
Chhattisgarh ...		3	4·	4	6·	1	2·	8	12·	51	80·	67
Total ...		60	8·	102	14·	73	10·	155	21·	401	55·	791
Courts of the Deputy Commissioner												
Nagpur and of Assistant Commissioner, with powers of a Deputy Commissioner		22	13·	40	27·	16	11·	26	18·	66	44·	170
Chanda		2	4·	1	2·	8	19·	4	10·	29	69·	44
Bhandara		1	1·	21	19·	9	8·	25	23·	56	50·	112
Wardha		31	12·	54	24·	35	15·	45	20·	94	41·	259
Balaghât		...	...	1	3·	8	25·	4	13·	19	59·	32
Jubbulpore		2	2·	15	17·	5	6·	7	8·	60	69·	89
Saugor		22	14·	12	9·	17	13·	23	17·	82	61·	156
Damoh		2	3·	6	10·	4	7·	15	25·	35	58·	62
Seoni		5	7·	2	3·	2	3·	13	20·	48	74·	70
Mandla		1	7·	...	...	...	...	4	31·	9	69·	14
Hoshangabad... ..		20	7·	30	11·	20	8·	70	26·	145	55·	285
Betul		19	15·	2	2·	5	5·	20	18·	82	75·	128
Narsinghpur		33	11·	49	19·	7	3·	38	15·	163	63·	290
Chhindwara		21	18·	3	3·	12	13·	21	22·	58	62·	115
Nimar		21	11·	19	11·	30	17·	26	15·	99	57·	195
Raipur		2	1·	22	15·	11	7·	22	15·	94	63·	151
Sambalpur		7	12·	5	10·	2	4·	10	20·	33	66·	57
Bilaspur		11	12·	10	12·	6	7·	11	13·	56	68·	94
Upper Godavari ...		...	...	...	...	...	...	...	...	...	...	...
Total ...		222	10·	292	14·	197	10·	384	18·	1228	58·	2323
Total for all Courts ...		282	9·	476	16·	273	9·	584	20·	1654	55·	3446

* Of these 5 were regular Appeals.

Appeals to the Judicial Commissioner.

39. In the Court of the Judicial Commissioner special appeals increased from 290 in 1874 to 327 in 1875.

Special appeals come chiefly from the Courts of the Commissioner at Nagpur, Jubbulpore and Hoshangabad, and from the Courts of the Deputy Commissioner at Nagpur and Wardha. From these five Courts alone came 192 out of the total number of 327 appeals and in pretty equal proportions.

Duration of appeals.

40. The only thing to remark on the duration of appeals is that it was reasonably short in most Courts of the Deputy Commissioner, as well as in the Courts of the Commissioners at Raipur and Jubbulpore ; but much too great in the Courts of the Commissioner at Nagpur and Hoshangabad. The Commissioner of Nagpur's report says that several cases pended for a long time in the hopes of compromise, but it is observable that at the close of the year 44 cases more than four months old still remained pending.

This was of course partly owing to the doubling of the ordinary number of institutions during the 3rd quarter of the year already noticed, and the Commissioner has been specially inquired of as to what prospect there may be of the arrears which may be reckoned at 100 cases out of the 126 which pended in his Court at the end of the year being cleared off. Institutions being now reduced, this clearance will probably be possible within the next two or three months.

E.—Execution of Decrees.

Remarks on inequality of authorizing temporary alienations of landed property.

41. Perhaps the most noticeable feature in Statement IV. is the unequal way in which temporary alienations of landed property have been authorized under Section 244, Act VIII. of 1859, but it is explained in this way. Temporary alienations under that Section must ordinarily be rare, so rare indeed as to make it no matter of surprise that in some districts there have been none at all, for it is generally only when the landowner is hopelessly involved that a question of temporary alienation of landed property under Section 244, Act VIII. of 1859 arises. But as noticed in para. 52 of the Report for 1874, in some districts there was in former years an irregular practice of illegally staying sale after attachment of landed property, and it is chiefly these cases or some of them that now appear as cases of temporary alienation ; Deputy Commissioners having in order to place the cases on a proper footing brought them on their own file, and by the use of their influence, which may no doubt be often brought well to bear on such cases, induced creditors in these old cases to acquiesce in such arrangement as permitted of temporary alienations being legally effected in lieu of sale.

42. The following table exhibits the extent to which Courts executing decrees applied for sanction to execute sale of property in land under the special proviso subject to which the Code of Civil Procedure was extended to these Provinces.

Districts.	Sales of ancestral property in land sanctioned during 1875.					Sales disallowed.
	More villages than one.	Single villages.	Shares in villages.	Other land.	Total.	
Nagpur	5	5	28	61	99	...
Bhandara	...	7	9	...	16	...
Wardha	...	...	11	18	29	...
Balaghat	...	...	4	...	4	...
Jubbulpore	...	1	10	2	13	...
Saugor	1	2	2	5	10	...
Damoh	...	1	1	1	3	...
Seoni	...	3	2	...	5	...
Mandla	...	1	1	...	2	...
Hoshangabad	1	2	2	5	10	...
Betul	1	2	...	4	7	...
Narsinghpur	...	...	4	5	9	...
Raipur	...	1	1	1	3	...
Bilaspur	...	1	4	...	5	...
Total ...	8	26	79	102	215	...

The Commissioner of the Nerbudda Division remarks that actual sale is still comparatively rare.

43. The Statement of Process Fees suggests no special remark. The income remains in excess of all expenditure, but expenditure has a slight tendency to increase, and on the other hand the rates of Process Fees are not susceptible of material reduction.

Statement VI.

I have the honor to be,

Sir,

Your most obedient Servant,

R. LOGAN,

Offg. Registrar.

NAGPUR;

The 22nd January 1876.

IMPERIAL STATEMENTS.

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Judicial Statement B1.

Showing the various Judicial Tribunals, Original and Appellate, existing in the Central Provinces on the last day of the year 1875.

Classes of Tribunals, distinguishing those which exercise powers in one Department from those exercising powers in two or three Departments, and those consisting of paid and unpaid Judges.	Number of Judicial Divisions.	Average area of each Division in square miles.	Average population of each Division.	Number of Tribunals.	Constitution of Tribunals, stating number of Judges in each and Jury or Assessor, if any.	Judicial powers of each Tribunal, Original or Appellate.	Total number of Judges. European. Covenanted.	Total number of Judges. European. Commissioned Military officers.	Total number of Judges. European. Uncovenanted.	Total number of Judges. Native.	Average annual salary of each paid Judge. European.	Average annual salary of each paid Judge. Native.	Total cost of Tribunals.	Net receipts from Stamps.	Executive or other functions exercised by the same Officer.	Average number of days in the year devoted to Judicial work.	Average number of advocates attached to each tribunal.	Number of cases decided during the year. Criminal.	Number of cases decided during the year. Civil.	Number of cases decided during the year. Revenue.	Number of cases decided during the year. Appellate.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
Magistrates of the second and third classes exercising Criminal powers only. Paid ...	3	1,011	112,093	3	A single Judge presides over each Court; Jury or Assessors not employed.	Each Judge had powers of a Magistrate of the 2nd or 3rd Class under the Code of Criminal Procedure.	2	...	1	...	5.600	...	...	...	One of the three paid Judges is a Civil Surgeon exercising the powers of a Magistrate, 2nd Class	Sundays and general holidays.	Courts of the Central Provinces.	182	...	...	...
Unpaid .	45	697	69,336	79			...	...	2	77	...	...	...	...				7,268	...	...	...
Magistrates of the second and third classes exercising Criminal, Civil, and Revenue powers. Paid ...	31	3,002	288,600	50	Do.	Each Judge had on the Criminal side powers of a Magistrate of the 2nd or 3rd Class under the Code of Criminal Procedure, and on the Civil side power to hear suits of value up to Rs. 50, 100, 300, 500, 1,000, according to his powers under the Central Provinces Courts' Act (XIV. of 1865), and had on the Revenue side the powers of a Deputy Collector under the Rent Law (Act X. of 1859, as amended by Act XIV. of 1863)	1	...	2	47	4,400	1,800	Rs. 6,79,375-3-11	Rs. 6,41,760-8 0	These officers are Tahsildars (Sub-Collectors,) Assistant and Extra Assistant Commissioners, they are employed generally in administrative work of the district to which they are attached.			7,973	28,464	4,338	...

Small Cause Courts confined to proper functions.	Paid ...	2	1,195	256,205	3	A single Judge presides over each Court; Jury, or Assessors not employed.	One Judge had power to hear suits up to Rs 1,000, and the other to Rs. 500, under Act XI. of 1865; the third Judge is Registrar of one of the Courts, who, under the same Act, has been invested with powers to hear suits.	...	2	.	1	10,200	3,000			..	250 days excluding	2 Barristers at Law, 1 Attorney at Law, and 50 Pleaders practise in the	:	8,235	...	.
Do. invested also with Criminal powers.	Paid .	3	1,118	90,657	4	Do.	One of these Judges under Act XI. of 1865, and two under Acts XI. of 1865 and XXII. of 1864, had power to hear suits up to Rs. 500 in value. Three of these Judges exercise the powers of a Magistrate. The remaining Judge is the Registrar of one of the Courts, who himself had only Civil powers to decide suits up to Rs. 20.	...	3	...	1	7,200	1,920			Three of these Judges are Cantonment Magistrates.			988	3,372	...	
Do. invested also with ordinary Civil or Revenue powers.	Paid ..	1	10	14,536	1	Do.	This Judge had on the Criminal side the powers of a Magistrate, and on the Civil side jurisdiction in suits not exceeding Rs. 500 in value, and of a nature cognizable by Courts of Small Causes. He had further been invested with the powers of a Collector under the Rent Act, except only the power to hear appeals. His jurisdiction as above is confined to Cantonment limits.	...	1	...		8,400	...	Rs. 679,875-3-11.	Rs. 641,760-8-0.	Cantonment Magistrate (Saugor.)			524	275	21	
Naib Tahsildars invested with *Civil* powers.	Paid .	14	2,339	237,020	20	Do	Each Judge can hear suits up to Rs. 50 in value, under Section 6, Act XIV. of 1865 "The Central Provinces' Courts Act."	..	..	...	20	..	697			These officers assist Tahsildars in the general administration of Sub-divisions of Districts (Tahsils) to which they are posted.			..	18,685	...	...
Benches of Magistrates.	Unpaid.	1	3,786	631,109	5	A Bench consisting of five Magistrates, Jury or Assessors not employed.	A single Bench exercising the powers of Magistrate of the 1st Class, under the Code of Criminal Procedure	...	...	..	5	...	...			...			160	..	...	...
Magistrates of the 1st Class (not Magistrates of Districts) invested with Criminal powers only.	Paid ...	1	1,086	24,425	1	A single Judge presides over each Court; Jury or Assessors not employed.	The full powers of a Magistrate under the Code of Criminal Procedure.	.	1	...	...	1,800	...			The paid Judge is a Civil Surgeon exercising the powers of a Magistrate of the 1st Class.			183	..	...	..
	Unpaid.	4	3,305	429,538	6			...	...	..	6	•	...						514	..	...	...

Judicial Statement B 1.—(*Continued.*)

Cases of Tribunals, distinguishing those which exercise powers in one Department from those exercising powers in two or three Departments, and those consisting of paid and unpaid Judges.	Number of Judicial Divisions.	Average area of each Division in square miles.	Average population of each Division.	Number of Tribunals.	Constitution of Tribunals, stating number of Judges in each and Jury or Assessors, if any.	Judicial powers of each Tribunal, Original or Appellate.	Total number of Judges. European. Covenanted.	Total number of Judges. European. Commissioned Military Officers.	Total number of Judges. European. Uncovenanted.	Total number of Judges. Native.	Average annual salary of each paid Judge. European.	Average annual salary of each paid Judge. Native.	Total cost of Tribunals.	Net receipts from Stamps.	Executive or other functions exercised by the same Officer.	Average number of days in the year devoted to Judicial work.	Average number of advocates attached to each Tribunal.	Number of cases decided during the year. Criminal.	Number of cases decided during the year. Civil.	Number of cases decided during the year. Revenue.	Number of cases decided during the year. Appellate.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
Magistrates of the 1st Class (not Magistrates of Districts), invested with Civil and Revenue powers. } Paid ..	23	4,648	458,386	43	A single Judge presides over each Court; Jury or Assessors not employed.	In addition to full Magisterial powers as above, each of these Judges can hear Civil Suits up to Rs. 1,000 or 5,000 in value according to his powers under Act XIV. of 1865, and has on the Revenue side the powers of a Deputy Collector under the Rent Law.	14	2	7	20	6,443	3,384	...	..	These officers are Assistant, Extra Assistant Commissioners, and Tahsildars who aid Deputy Commissioners in the general administration of the Districts to which they are posted.	...	...*	7,485	18,635	1,064	..
Magistrate of the District. } Paid ..	19	4,422	424,893	19	Do.	In addition to the full powers of a Magistrate, these Officers hear appeals from convictions by Magistrates of the second and third classes. All of them exercise the special powers of Section 36 Code of Criminal Procedure to try all offences not punishable with death; on the Civil side they can try suits up to any value, and hear appeals from the decisions of Subordinate Civil Courts of their Districts of the four lowest grades specified in Act XIV. of 1865. On the Revenue side they have the powers of a Collector under the Rent Law.	..	17	2	..	15,479	..	...	...	These officers are Deputy Commissioners invested with administrative charge of Districts.	Sundays and general holidays.	Courts of the Central Provinces.	2,057	349	109	2,871

Court of Session exercising also Civil and Rexenue powers.	Paid	...	4	20,609	20,10,481	4	A single Judge presides over each Tribunal He is assisted by two Assessors when trying defended Sessions cases (Criminal.)	These officers preside on the Criminal side over Courts of Session, and try heinous offenders committed by Magistrates to their Courts for trial, and likewise hear appeals from the orders of Magistrates of the 1st Class. On the Civil side Commissioners have no ordinary original jurisdiction, but under Act XIV. of 1865 hear appeals in all suits in which the value is Rs. 5,000 or more; and they also hear appeals from the judgments of Collectors and Deputy Collectors in certain Suits under Act X. of 1859, (the Rent Act). They have also special original jurisdiction under Acts IV. of 1869, the Indian Divorce Act, and X. of 1870. the Land Acquisition Act. In the Revenue Department, they are commissioners of Division, and hear appeals from orders of Collectors under the Rent Law.	2	2	..	...	32,000	...	Rs. 6,79,375 3-11	Rs. 6,41,760-8-0	Commissioners have administrative charge of Divisions consisting of several Districts.	250 days excluding	2 Barristers at Law, 1 Attorney at Law, and 50 Pleaders practise in the	123	...	...	1,151
Court of the Judicial Commissioner.	Paid	...	1	34,963	82,01,519	1	A single Judge presides over this Court unassisted by either Jury or Assessors.	The Judicial Commissioner's Court is the Chief Appellate Court in Criminal and Civil cases. Hearing on the Criminal side appeals from the orders of Courts of Session; and on the Civil side, special appeals from decisions passed on appeal by Deputy Commissioners or Commissioners.—In Criminal cases the Judicial Commissioner has also the power of a Court of reference and revision given by the Code of Criminal Procedure to the Sadar Court.	..	1	.	...	38,000	...						...	...	...	269

ABSTRACT.*

Number of Criminal Courts		*Number of Civil Courts.*	
Magistrates of the 2nd and 3rd Class	129	Small Cause Courts	6
Magistrates of the 1st Class	53	Courts of the Naib Tahsildars	21
Benches of Magistrates	5	Courts of the Tahsildar	49
Magistrates of Districts	19	Courts of the Assistant Commissioner	35
Courts of Session	4	Courts of the Deputy Commissioner	19
Court of the Judicial Commissioner	1	Courts of the Commissioner	4
		Court of the Judicial Commissioner	1
Total ...	211	Total ...	135

Under Administrative arrangements Officers exercising both Magisterial and Civil powers are sometimes employed only as Criminal, and sometimes only as Civil Judges, and sometimes as both. The abstract shows the actual number of Judges employed as Criminal as well as Civil Judges at the close of the year.

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JUDICIAL STATEMENT B 6.—(Civil.)

STATEMENT showing the number and description of Civil Suits instituted and disposed of, in the Courts of Original Civil Jurisdiction in the Central Provinces, in the year 1875.

Class of Tribunals.	Money Due.								Damages.																
	On written obligation for sum certain.	On unwritten promise for sum certain.	On account stated.	For money paid or received.	For goods sold and delivered.	For breaches of contract not included in the above.	Rent not falling under the Rent Law.	Recovery of personal property or value thereof.	For injuries to person, attended with direct or actual pecuniary damage.	For injuries to property.	For defamation.	For other injuries not included in the above.	Suits for immoveable property.	Suits for specific performance of contract.	Suits to declare and establish rights to real property, including pre-emption, foreclosure, &c.	Suits to declare and establish personal rights.	Suits for an account.	Suits relating to religious endowments.	Suits to set aside judgments, contracts or obligations on the ground of fraud.	Suits for dissolution of marriage.	Suits for enforcement of matrimonial rights.	Suits for partition.	Suits relating to shipping.	Suits relating to religion and caste.	Total.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26
Small Cause Courts ...	5,998	2,057	372	121	2,564	82	222	237	229				...	...	...	...	...	...	...	...	...	...	..	..	11,882
Sub-Divisional Courts..	24,181	9,313	685	525	6,462	689	337	5,440	1,193				156	5	19	7	1	...	5	...	6	...	...	...	49,024
District Courts ...	10,026	1,331	359	195	648	169	80	987	367				2,271	42	304	54	27	2	68	20	150	9	...	...	17,109
Superior Courts ...	...	...	...	...	...	...	...	...	...				...	...	...	...	...	...	...	...	...	...	...	...	...
Total ... 1875 ..	40,205	12,701	1,416	841	9,674	940	639	6,664	1,789				2,427	47	323	61	28	2	73	20	156	9	...	...	78,015
Total ... 1874 ..	39,271	12,158	1,719	1,084	9,317	1,169	561	6,540	1,894				2,501	83	456	107	44	2	121	15	162	21	...	...	77,225

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JUDICIAL STATEMENT B. 7.—(Civil.)

STATEMENT showing Value of Suits disposed of in the Civil Courts of the Central Provinces in the year 1875.

VALUE OF SUITS.	Number of Suits disposed of in different Courts.							
	Small Cause Courts.	Sub-Divisional Courts.		District Courts.		Commissioner's Courts.	Total Number of Suits.	Total value of Suits.
		Naib-Tahsildars.	Tahsildars.	Assistant Commissioners.	Deputy Commissioners.			
1	2	3	4	5	6	7	8	9
Not exceeding Rupees 5	2,766	4,821	4,372	703	9	...	12,676	42,354
Ditto " 20	4,884	9,975	10,820	2,483	61	...	28,223	3,43,914
Ditto " 100	3,565	4,270	12,904	8,016	294	...	29,049	12,79,137
Ditto " 500	634	...	1,862	3,997	401	...	6,894	13,18,426
Ditto " 1,000	33	...	...	530	58	...	621	4,25,012
Ditto " 5,000	...	...	...	305	178	...	483	9,23,515
Ditto " 10,000	...	...	...	...	47	...	47	3,20,256
Ditto " 100,000	...	...	...	...	19	...	19	5,23,599
Exceeding Rupees 100,000	...	...	...	...	3	...	3	27,52,175
Total... 1875..	11,882	19,066	29,958	16,039	1,070	...	78,015	79,28,385
Total... 1874..	12,275	13,564	34,442	16,548	394	2	77,225	49,81,360

JUDICIAL STATEMENT B. 8.—(Civil.)

STATEMENT showing the general result of the trial of Civil Suits, in the Courts of original jurisdiction in the Central Provinces, in the year 1875.

Class of Courts.	Suits remaining from last year.	Filed in this year.	Received by transfer.	Total for disposal.	Transferred to other Courts.	Plaints rejected or returned.	Dismissed for default.	Withdrawn withleave.	Compromised.	Decreed on confession.	Decreed *exparte*.	Dismissed *exparte*.	Contested. Judgment for plaintiff in whole or part.	Contested. Judgment for defendant.	Total disposed of.	Pending.	Over two months.	Over four months.	Average duration of suits. Contested.	Average duration of suits. Uncontested.	Referred to arbitration
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
Small Cause Courts.	242	11,920	...	12,162	...	73	1,707	131	2,083	3,886	957	13	2,274	758	11,882	280	1	1	14·9	10·1	55
Sub Divisional tribunals. ...	1,115	49,473	...	50,588	...	220	10,157	585	7,393	13,098	5,904	266	8,657	2,744	49,024	1,564	17	...	23·3	16·6	225
District Courts other than Chief Courts of districts ...	626	17,032	...	17,658	...	193	2,372	227	1,334	4,421	2,455	78	4,179	1,501	16,760	898	26	11	30·8	20·3	138
Chief Courts of districts ...	27	352	1	380	...	3	31	8	19	55	30	1	136	66	349	31	4	1	47·4	29·5	12
Superior Courts ...	...	2	...	2	...	...	...	...	...	...	...	...	...	...	...	2	...	..	...	...	...
Total ... 1875	2,010	78,779	1	80,790	..	489	14,267	951	10,829	21,460	9,346	358	15,246	5,069	78,015	2,775	48	13	24·3	16·3	430
Total ... 1874	2,594	76,639	1	79,234	1	538	13,809	934	11,506	20,692	8,952	371	15,166	5,256	77,225	2,009	23	14	26·1	17·9	483

JUDICIAL STATEMENT B 9.—(Civil.)

STATEMENT showing the business of the Civil Appellate Courts of the Central Provinces, in the year 1875.

Class of Courts.	Remaining from the previous year.	Instituted during the year.	Received by transfer.	Total.	Transferred.	Dismissed for default under Sections 5 and 6 Act XXIII. of 1861.	Heard *Ex-parte.*			Contested.				Total disposed of.	Pending.	Over two months.	Objections under Section 348, Act VIII. of 1859.	Objections allowed.	Remarks.
							Confirmed.	Modified.	Reversed.	Confirmed.	Modified.	Reversed,	Remanded.						
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
Chief Appellate Courts of Districts ...	135	2,386	..	2,521	...	222	96	15	58	1,132	182	346	272	2,323	198	1	13	4	
Superior Appellate Courts other than Chief Court of Province ...	169	855	..	1,024	...	60	43	4	22	358	69	135	100	791	233	46	18	7	
Chief Court of Province ...	29	*163	...	192	...	...	5	1	14	20	2	41	72	155	37	..	1	1	*177 applications for special appeal rejected not here included.
Total ... 1875...	333	3,404	..	3,737	...	282	144	20	94	1,510	253	522	444	3,269	468	47	32	12	
Total ... 1874...	309	3,576	...	3,884	...	289	165	27	107	1,723	264	909	65	3,549	335	94	30	18	

JUDICIAL STATEMENT B. 10.—(Civil.)

STATEMENT showing the Execution of Decrees in the Courts of the Central Provinces, during the year 1875.

Class of Courts.	Applications to execute decrees.				Decrees completely executed.	Partially executed.	Pending at the end of the year.	Nature and number of coercive processes issued.						Remarks
	Pending from the previous year.	Filed in the year.	Received by transfer.	Total.				Imprisonment of person.	Moveable property.		Immoveable property.		Under Section 243 Code of Civil Procedure.	
									Attached.	Sold.	Attached.	Sold.		
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Small Cause Courts ...	305	8,928	8	9,241	1,874	2,487	469	138	2,387	535	...	...	...	* 20,507 cases were struck off without execution effected.
Local and Sub-divisional Courts ..	1,837	22,643	376	24,856	7,063	5,601	2,351	211	6,558	2,826	4,247	1,800	30	† 20,432 ditto ditto.
District Courts ...	1,540	13,842	357	15,739	3,791	3,877	1,816	185	3,422	1,555	3,356	1,363	119	‡ All temporary alienations.
Superior Courts ...	...	...	...	...	...	...	..	...	...	...	...	...	...	§ Of these 145 ditto.
Total { 1875 ...	3,682	45,413	741	49,836	12,728	11,965	*4,636	534	12,367	4,916	7,603	3,163	‡149	
Total { 1874 ...	4,411	43,240	862	48,213	12,532	11,566	†3,682	657	11,861	4,876	7,540	3,237	§253	

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JUDICIAL STATEMENT B 11.—(Civil.)

STATEMENT showing the use of Juries and Assessors in the Civil Courts of the Central Provinces, in the year 1875.

Classes of Courts in which Juries or Assessors are employed, distinguishing Criminal from Civil Courts.	Established or average number of Jury or Assessors in each case and prescribed qualifications.	Number of cases tried by Jury.	Number of cases with Assessors.	Jury trials.			Assessors' trials.		Note showing in what classes of cases Juries and Assessors have been principally employed.	Remarks.
				Verdict in favour of the prosecutor or plaintiff.	Verdict in favour of the accused or defendant.	Jury discharged without verdict.	Number of cases in which Judges agreed with Assessors.	Number of cases in which Judges differed from Assessors.		
Civil Courts.										
(*Blank.*)										

PROVINCIAL STATEMENTS.

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No.

Statement showing the number, description, and value of Original Suits.

	Money Due.									
	On written obligation.	On unwritten obligation.	On account stated.	For money paid or received.	For goods sold and delivered.	For breaches of contract not included in the above.	Rent, not falling under the Rent Law.	Moveable property or value thereof.	Damages.	Suits for immoveable property.
1	2	3	4	5	6	7	8	9	10	11
Nagpur ...	4,457	896	67	70	528	73	9	460	185	416
Principal Court of Small Causes, Nagpur ...	3,561	923	23	40	1,184	21	48	82	78	...
Cantonment Small Cause Court, Kamptee ...	1,271	570	159	17	696	19	75	41	36	...
Chanda ...	1,374	220	18	21	144	59	4	231	57	28
Bhandara ...	1,692	329	3	38	132	13	5	450	48	49
Wardha ...	3,634	1,279	333	69	923	17	31	448	112	172
Balaghat ...	672	309	41	15	50	25	6	193	67	27
Jubbulpore .	815	350	52	58	182	52	7	90	66	249
Principal Court of Small Causes, Jubbulpore ...	965	449	130	40	418	22	58	96	97	...
Cantonment Small Cause Court, Jubbulpore ...	98	58	57	23	137	4	28	10	9	...
Saugor ...	1,665	429	91	51	277	29	35	464	41	133
Cantonment Small Cause Court, Saugor ...	85	38	3	1	105	16	12	7	8	...
Damoh ...	833	165	28	30	107	7	4	238	49	82
Seoni ...	716	450	5	27	212	10	9	247	116	60
Mandla ...	170	191	22	9	95	12	...	65	42	8
Hoshangabad ...	3,537	1,534	61	41	529	57	48	1,591	67	226
Betul ...	1,620	670	37	22	387	78	11	164	115	92
Narsinghpur ...	3,592	701	86	52	434	46	111	339	90	343
Chhindwara ...	2,394	720	37	60	418	163	23	342	85	160
Nimar ...	4,736	1,092	110	90	1,388	19	72	252	78	138
Cantonment Small Cause Court, Asirgarh ..	18	19	...	..	24	...	1	1	1	...
Raipur ..	1,112	784	16	35	537	33	30	411	167	141
Sambalpur ...	495	154	13	6	243	41	6	203	70	60
Bilaspur ..	639	340	13	23	465	120	3	230	100	43
Upper Godavari ..	54	31	11	3	59	4	3	9	5	...
Total 1875...	40,205	12,701	1,416	841	9,674	940	639	1,664	1,789	2,427
Total 1874...	39,271	12,158	1,719	1,084	9,317	1,169	561	6,540	1,894	2,501

Exhibition of above Grand

Not exceeding Rs. 5	1,708	3,807	165	210	4,425	280	165	1,192	347	361
Do. „ 20	13,625	5,507	414	274	3,798	338	327	2,531	683	695
Do. „ 100	19,907	2,726	502	250	1,297	226	131	2,318	625	814
Do. „ 500	4,372	543	259	75	146	71	15	565	119	407
Do. „ 1,000	351	55	35	7	7	6	1	38	7	63
Do. „ 5,000	219	62	37	14	1	12	...	19	7	74
Do. „ 10,000	18	...	3	2	...	7	...	1	1	8
Do. „ 1,00,000	5	1	1	...	...	...	...	...	...	4
Exceeding „ 1,00,000	...	...	...	...	...	...	...	...	...	1
Total 1875...	40,205	12,701	1,416	841	9,674	940	639	6,664	1,789	2,427
Total 1874...	39,271	12,158	1,719	1,084	9,317	1,169	561	6,540	1,894	2,501

I.

disposed of in the Districts of the Central Provinces during the year 1875.

Suits for specific performance of contract.	To declare and establish rights only. Connected with immoveable property including pre-emption, foreclosure, &c.	To declare and establish rights only. Personal (unconnected with property.)	Suits for an account.	Suits relating to religious endowments.	Suits to set aside judgments, contracts, or obligations on the ground of fraud.	Suits for dissolution of marriage.	Suits for enforcement of matrimonial rights.	Suits for partition.	Suits relating to shipping.	Suits relating to religion and caste.	Total.	Remarks
12	13	14	15	16	17	18	19	20	21	22	23	24
4	9	6	11	1	2	11	28	...	...	...	7,233	
...	...	...	...	...	...	...	...	...	...	...	5,960	
...	...	...	...	...	...	...	...	...	...	...	2,884	
1	...	3	2	...	4	...	7	...	...	...	2,173	
6	14	6	2	1	...	...	4	1	...	...	2,793	
1	24	5	2	...	2	2	21	...	...	...	7,075	
...	12	...	...	...	1	...	3	...	...	...	1,421	
1	56	15	3	...	6	1	15	1	...	...	2,019	
...	...	...	...	...	..	...	...	...	...	...	2,275	
...	...	...	...	...	...	...	...	...	...	...	424	
6	40	5	...	...	5	...	...	...	...	...	3,271	
...	...	...	...	...	...	...	...	...	...	...	275	
...	25	1	...	...	...	...	...	...	...	...	1,569	
...	5	...	1	...	...	...	8	...	...	...	1,866	
3	...	...	...	...	...	...	3	...	...	...	620	
5	23	4	3	...	11	...	5	3	...	...	7,745	
3	24	...	...	...	2	1	5	...	...	...	3,231	
...	11	1	...	...	1	2	2	...	...	...	5,811	
2	8	...	...	...	1	...	16	...	...	...	4,429	
5	16	7	1	...	29	3	23	1	..	...	8,069	
...	...	...	...	...	...	...	...	...	...	...	64	
2	22	...	3	...	4	...	9	...	...	...	3,306	
5	17	1	...	...	1	..	3	1	...	...	1,319	
3	17	7	...	...	4	...	4	...	...	...	2,011	
...	...	...	...	...	...	...	...	2	...	...	181	
47	323	61	28	2	73	20	156	9	...	...	78,015	
83	456	107	44	2	121	15	162	21	...	...	77,225	

Total in detail of values.

...	2	9	...	...	...	2	3	...	...	...	12,676	
5	17	5	...	...	2	..	1	1	...	...	28,223	
17	60	6	...	1	12	3	143	2	...	...	29,049	
14	168	38	26	...	49	15	9	3	...	..	6,894	
7	35	2	...	...	6	...	...	1	...	...	621	
3	30	1	...	1	3	...	...	...	...	...	483	
1	6	...	...	...	...	...	...	...	...	...	47	
...	3	...	2	...	1	...	...	2	...	...	19	
...	2	...	...	...	...	...	...	...	...	...	3	
47	323	61	28	2	73	20	156	9	...	...	78,015	
83	456	107	44	2	121	15	162	21	...	...	77,225	

No. II

STATEMENT showing Value of Original Suits disposed of in the Districts of the Central Provinces during the year 1875

Value of Suits.	Number of Suits disposed of in different Courts.							Total value of suits	REMARKS.
	Small Cause Courts	Naib Tahsildars' Courts	Courts of the Tahsildar.	Courts of the Asst. Commissioner.	Courts of the Deputy Commissioner.	Courts of the Commissioner	Total number of suits.		
1	2	3	4	5	6	7	8	9	10
Not exceeding Rs. 5	2,766	4,821	4,372	715	2	...	12,676	42,354	
" " 20	4,884	9,975	10,820	2,534	10	...	28,223	3,43,914	
" " 100	3,565	4,270	12,904	8,259	51	...	29,049	12,79,137	
" " 500	634	...	1,862	4,326	72	...	6,894	13,18,426	
" " 1,000	33	...	...	570	18	...	621	4,25,012	
" " 5,000	...	...	..	355	128	...	483	9,23,515	
" " 10,000	...	...	...	1	46	...	47	3,20,253	
" " 1,00,000	...	...	...	...	19	...	19	5,23,599	
Exceeding " 1,00,000	...	...	...	...	3	..	3	27,52,175	
Total 1875	11,882	19,066	29,958	16,760	349	...	78,015	79,28,385	
Total 1874	12,275	13,564	34,442	16,548	394	2	77,225	49,81,360	

No. III.

Statement showing the general result of the trial of Original Suits in the Districts of the Central Provinces, during the year 1875.

Districts and Small Cause Courts.	For disposal.					Disposed of.								
								Dismissed for default.			Compromised.		Decreed on confession.	
	Remaining at close of the previous year.	Reinstituted during the year.	Received by transfer from other Provinces, during the year.	Instituted during the year.	Total.	Transferred to other Provinces.	Plaints rejected, or returned.	Number.	Percentage of total disposed of.	Withdrawn with leave.	Number.	Percentage of total disposed of.	Number.	Percentage of total disposed of.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Nagpur ...	376	252	...	7,058	7,686	...	49	1,238	17·1	87	1,204	16·7	1,96[illegible]7	27·2
Principal Court of Small Causes, Nagpur ...	114	110	...	5,883	6,107	...	48	799	13·4	75	1,431	24·0	1,55[illegible]9	26·2
Cantonment Small Cause Court, Kamptee ...	24	13	...	2,872	2,909	...	16	215	7·5	38	412	14·3	1,55[illegible]3	53·8
Chanda ...	77	37	..	2,198	2,312	...	18	329	15·1	26	267	12·3	72[illegible]	33·3
Bhandara ...	83	112	...	2,700	2,895	...	13	540	19·3	54	296	10·6	83[illegible]5	29·9
Wardha ...	128	287	...	6,774	7,189	..	17	1,384	19·6	243	975	13·8	1,75[illegible]5	24·8
Balaghat ...	33	40	...	1,468	1,541	...	5	242	17·0	38	131	9·2	44[illegible]0	31·0
Jubbulpore ...	48	75	...	1,937	2,060	...	30	442	21·9	19	273	13·5	37[illegible]0	18·3
Principal Court of Small Causes, Jubbulpore ...	98	18	...	2,260	2,376	...	8	628	27·6	12	167	7·3	44[illegible]3	19·6
Cantonment Small Cause Court, Jubbulpore ...	3	...	...	421	424	..	...	32	7·5	3	27	6·4	17[illegible]3	40·8
Saugor ...	65	74	...	3,307	3,446	...	35	581	17·8	35	516	15·8	97[illegible]4	29·8
Cantonment Small Cause Court, Saugor ...	1	...	..	281	282	...	1	16	5·8	3	39	14·2	13[illegible]7	49·8
Damoh ...	70	87	...	1,454	1,611	.	10	335	21·4	4	201	12·8	43[illegible]3	27·9
Seoni ..	43	31	..	1,832	1,906	..	20	372	19·9	8	279	14·9	52[illegible]	28·1
Mandla ...	4	5	...	625	634	.	7	105	16·9	9	95	15·3	12[illegible]0	20·8
Hoshangabad ...	236	205	...	7,722	8,163	...	20	1,648	21·3	79	934	12·1	1,80[illegible]5	23·3
Betul ...	108	42	...	3,183	3,333	...	26	566	17·5	13	507	15·7	95[illegible]5	29·6
Narsinghpur ...	166	219	...	5,537	5,922	...	34	1,095	18·8	19	541	9·3	1,11[illegible]	19·2
Chhindwara ...	104	79	..	4,385	4,568	...	15	779	17·6	32	841	19·0	1,15[illegible]3	26·2
Nimar ...	35	72	1	8,136	8,244	...	77	1,693	21·0	101	806	10·0	2,84[illegible]7	35·3
Cantonment Small Cause Court, Asirgarh ...	2	...	...	62	64	..	...	17	26·6	...	7	10·9	1[illegible]5	25·0
Raipur ...	63	65	...	3,293	3,421	...	12	577	17·5	21	453	13·7	64[illegible]9	19·6
Sambalpur ...	42	59	...	1,295	1,396	...	8	199	15·1	13	111	8·4	38[illegible]2	29·0
Bilaspur ...	70	13	...	2,030	2,113	...	19	434	21·6	15	291	14·5	41[illegible]3	20·5
Upper Godavari ...	17	1	...	168	186	...	1	1	0·7	4	25	13·8	9[illegible]3	51·4
Commissioner, Narbudda Division ...	...	...	..	1	1	...	...	...	...	...	...	...	...	...
Do. Chhattisgarh Do..	...	...	...	1	1	...	...	...	...	...	..	...	...	...
Total ... 1875...	2,010	1,896	1	76,883	80,790	...	489	14,267	18·3	951	10,829	13·9	21,46[illegible]0	27·5
Total ... 1874...	2,594	1,757	1	74,882	79,234	1	538	13,809	17·9	934	11,506	14·9	20,69[illegible]	26·8

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Dis

Districts and Small Cause Courts.	Number decreed.	Ex parte. Dismissed. Number.	Ex parte. Dismissed. Percentage of total ex parte.	Ex parte. Total. Number.	Ex parte. Total. Percentage of total disposed of.	Contested and disposed of by. Judgement for Plaintiff. In whole. Number.	Contested. Judgement for Plaintiff. In whole. Percentage of total contested.	Contested. Judgement for Plaintiff. In part. Number.	Contested. Judgement for Plaintiff. In part. Percentage of total contested.	Contested. Judgment for Defendant. Number.	Contested. Judgment for Defendant. Percentage of total contested.
	16	17	18	19	20	21	22	23	24	25	26
Nagpur ...	971	72	6·9	1,043	14·4	775	47·1	425	25·8	445	27·1
Principal Court of Small Causes, Nagpur ...	565	11	1·9	576	9·7	795	54·0	364	24·7	313	21·3
Cantonment Small Cause Court, Kamptee ...	84	1	1·2	85	2·9	242	42·8	212	37·5	111	19·7
Chanda ...	186	11	5·6	197	9·1	289	47·2	217	35·5	106	17·3
Bhandara ...	369	14	3·7	383	13·7	259	38·5	252	37·5	161	24·0
Wardha ...	869	28	3·1	897	12·7	805	44·6	570	31·6	429	23·8
Balaghat ...	179	6	3·2	185	13·0	174	45·8	112	29·5	94	24·7
Jubbulpore ..	206	4	1·9	210	10·4	306	45·3	144	21·3	225	33·4
Principal Court of Small Causes, Jubbulpore ...	234	1	0·4	235	10·3	304	39·1	202	26·0	271	34·9
Cantonment, Small Cause Court, Jubbulpore ...	63	...	...	63	14·9	47	37·3	48	38·1	31	24·6
Saugor ...	326	16	4·7	342	10·4	381	48·3	214	27·2	193	24·5
Cantonment Small Cause Court, Saugor ...	7	...	...	7	2·5	21	29·2	23	31·9	28	38·9
Damon ...	165	2	1·2	167	10·6	215	51·9	83	20·1	116	28·0
Seoni ...	203	7	3·3	210	11·3	158	34·8	186	41·1	109	24·1
Mandla ...	64	3	4·5	67	10·8	43	20·7	120	57·7	45	21·6
Hoshangabad ...	1,445	37	2·5	1,482	19·1	820	46·2	491	27·6	465	26·2
Betul ...	322	5	1·5	327	10·1	445	53·2	242	29·0	149	17·8
Narsinghpur ..	989	21	2·1	1,010	17·4	874	43·8	664	33·2	460	23·0
Chhindwara ...	354	48	11·9	402	9·1	409	34·0	422	35·1	371	30·9
Nimar ..	1,090	48	4·2	1,138	14·1	624	44·6	437	31·3	337	24·1
Cantonment Small Cause Court, Asirgarh ...	4	..	...	4	6·2	4	20·0	12	60·0	4	20·0
Raipur ...	313	11	3·4	324	9.8	416	32·8	513	40·4	341	26·8
Sambalpur ...	116	4	3·3	120	9·1	220	45·3	174	35·8	92	18·9
Bilaspur ...	206	8	3·7	214	10·6	190	30·4	270	43·2	165	26·4
Upper Godavari ...	16	...	...	16	8·8	13	31·7	20	48·8	8	19·5
Commissioner, Nagpur Division ...	...	...	...	...	...	...	...	..	...	..	..
Do. Chhattisgarh Do.	...	...	...	...	...	...	...	..	..	...	..
Total ... 1875...	9,346	358	3·7	9,704	12·4	8,829	43·5	6,417	31·6	5,069	24·9
Total ... 1874..	8,952	371	4·0	9,323	12·1	8,743	42·8	6,423	31·5	5,256	25·7

III—(*Continued.*)

posed of			Pending.			Average.			Number of Suits disposed of.							
Total.						Duration of suits in days and tenths.										
Number.	Percentage of total disposed of.	Total.	Total.	Over two and not over four months.	Over four months.	Contested.	Uncontested.	Number of hearings in Suits disposed of.	Instituted in *forma pauperis*.	In which commission issued for local investigation.	In which commission issued to investigate or adjust accounts.	In which reference was made to arbitrators.	In which any matter was decided on oath of party or witness.	In which any of those costs of a successful Plaintiff which are not more than proportionate to the relief decreed, are decreed against such Plaintiff.	In which payment by instalments was decreed	REMARKS.
27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43
1,645	22·7	7,233	453	5	...	36·5	21·4	2·1	13	60	52	9	67	370	334	
1,472	24·7	5,960	147	...	...	15·0	10·0	1·6	3	13	16	1	114	352	201	
565	19·6	2,884	25	1	1	11·5	7·9	1·2	...	4	5	4	57	207	769	
612	28·2	2,173	139	1	...	34·2	23·2	2·6	...	10	53	3	2	93	283	
672	24·1	2,793	102	...	...	24·4	19·1	2·1	4	20	39	10	13	259	228	
1,804	25·5	7,075	114	4	...	28·8	17·1	2·4	1	50	94	10	51	276	231	
380	26·8	1,421	120	1	...	29·9	17·9	2·0	3	12	1	5	20	15	154	
675	33·5	2,019	41	1	...	26·7	16·5	2·1	...	17	20	54	7	25	85	
777	34·2	2,275	101	...	...	18·7	15·2	1·3	...	1	11	44	11	379	169	
126	29·7	424	...	...	...	8·7	6·4	1·2	...	..	...	2	2	11	24	
788	24·1	3,271	175	5	...	28·9	16·7	2·1	3	22	18	35	32	281	311	
72	26·2	275	7	...	...	10·0	7·1	1·3	...	1	1	4	1	29	12	
414	26·5	1,569	42	...	...	18·2	14·3	1·9	1	7	..	13	32	242	129	
453	24·3	1,866	40	...	...	33·2	22·3	2·0	3	10	1	49	45	78	218	
208	33·6	620	14	...	...	13·4	12·2	1·6	..	1	2	4	49	12	26	
1,776	22·9	7,745	418	16	11	29·4	16·1	1·8	9	25	68	36	60	274	358	
836	25·8	3,231	102	1	...	22·8	15·5	1·9	3	15	5	6	23	176	439	
1,998	34·4	5,811	111	...	...	20·5	15·2	1·8	3	61	5	31	22	287	451	
1,202	27·1	4,429	139	2	...	21·3	15·1	1·9	...	24	26	9	83	157	325	
1,398	17·4	8,060	184	2	...	24·0	17·4	1·6	4	30	51	14	221	126	667	
20	31·3	64	...	...	...	10·1	9·0	1·0	...	...	...	...	...	10	9	
1,270	38·4	3,306	115	2	...	22·2	18·0	2·4	2	39	18	41	22	114	325	
486	36·8	1,319	77	...	...	30·4	18·5	2·3	...	4	6	32	1	143	162	
625	31·1	2,011	102	6	...	29·1	21·4	2·3	5	3	1	14	9	86	268	
41	22·6	181	5	1	1	58·2	24·3	2·4	2	2	1	...	3	1	32	
...	...	...	1	...	...	...	...	...	...	...	...	...	...	...	...	
...	...	...	1	...	...	...	...	...	...	...	...	...	...	...	...	
20,315	26·0	78,015	2,775	48	13	24·3	16·3	1·9	59	431	494	430	947	4,003	6,210	
20,422	26·4	77,225	2,009	23	14	26·1	17·9	1·9	64	466	545	483	768	4,251	6,611	

No.

Statement showing the Execution of Decrees in the

Districts and Small Cause Courts.	Applications to execute decrees.					Struck off, execution for the time being ended and no coercive process remaining in force.				
		Filed.								
	Pending from last year.	Verbally.	In writing.	Received by transfer.	Total.	Decrees completely executed.	Decrees partially executed.	Without execution.	Total.	Decrees executed by possession being given of specific property decreed.
1	2	3	4	5	6	7	8	9	10	11
Nagpur ...	418	17	4,173	267	4,875	1,296	924	2,077	4,297	117
Principal Court of Small Causes, Nagpur ...	175	69	4,234	...	4,478	929	808	2,541	4,278	...
Cantonment Small Cause Court, Kamptee ...	73	34	3,040	2	3,149	475	1,170	1,284	2,929	...
Chanda ...	121	28	1,171	23	1,343	364	375	393	1,132	6
Bhandara ...	327	33	1,685	39	2,084	571	450	742	1,763	21
Wardha ...	325	34	3,403	70	3,832	1,048	603	1,911	3,562	42
Balaghat ...	101	15	922	24	1,062	275	209	405	889	5
Jubbulpore ...	208	18	1,207	123	1,556	475	322	550	1,347	67
Principal Court of Small Causes, Jubbulpore ...	51	33	1,090	5	1,179	313	357	469	1,139	...
Cantonment Small Cause Court, Jubbulpore ...	4	4	283	1	292	101	108	75	284	...
Saugor ...	234	...	2,123	19	2,376	549	595	1,002	2,146	51
Cantonment Small Cause Court, Saugor ...	2	2	120	...	124	45	43	35	123	...
Damoh ...	93	7	713	11	824	240	211	265	716	37
Seoni ...	83	3	930	...	1,016	274	270	372	916	10
Mandla ...	11	...	198	22	231	67	80	69	216	1
Hoshangabad ...	366	27	4,653	3	5,049	1,135	1,195	2,218	4,548	53
Betul ...	132	22	1,913	26	2,093	501	542	794	1,837	27
Narsinghpur ...	352	43	4,232	32	4,659	916	1,572	1,803	4,291	124
Chhindwara ...	183	16	1,760	17	1,976	551	669	577	1,797	2
Nimar ...	188	9	4,280	38	4,515	1,468	756	1,957	4,181	36
Cantonment Small Cause Court, Asirgarh ...	...	...	19	...	19	11	1	7	19	...
Raipur ...	118	15	1,459	9	1,601	532	379	561	1,472	24
Sambalpur ...	68	...	553	...	621	248	144	159	551	12
Bilaspur ...	47	2	781	10	840	323	172	237	732	13
Upper Godavari ...	2	..	40	...	42	21	10	4	35	...
Total 1875...	3,682	431	44,982	741	49,836	12,728	11,965	20,507	45,200	648
Total 1874...	4,111	495	42,745	862	48,213	12,532	11,566	20,433	44,531	666

IV.

Districts of the Central Provinces, during the year 1875.

Pending.			Claims to attached property decided.		Nature and number of coercive processes issued.						REMARKS.
						Moveable Property.		Immoveable Property.			
Total.	Over two and not over four months.	Over four months.	For claimant in whole or part.	Against claimant.	Persons actually committed to prison.	Number of warrants in execution of which attachment was effected	Number of orders for sale executed.	Number of warrants in execution of which attachment was effected	Number of orders for sale executed and confirmed.	Temporary alienations authorised under Section 244, Act VIII. of 1859.	
12	13	14	15	16	17	18	19	20	21	22	23
578	51	21	278	201	38	831	403	1,238	578	..	
200	6	...	105	144	67	1,235	246	..	..	...	
220	...	...	17	17	8	819	107	...	..	...	
211	8	7	50	46	10	495	206	172	78	...	
321	1	11	108	69	7	801	367	404	205	3	
270	28	43	230	141	56	1,049	431	682	283	1	
173	2	9	25	20	5	304	126	55	31	..	
209	34	83	37	49	16	170	94	268	121	4	
40	...	...	16	18	33	224	117	...	...	..	
8	..	..	1	...	14	90	59	...	...	...	
230	63	26	54	141	26	424	148	669	239	46	
1	...	..	...	...	15	13	6	..	...	..	
108	14	27	22	61	2	182	73	219	114	5	
100	31	5	37	43	7	261	115	187	78	...	
15	1	1	...	3	1	60	23	33	9	..	
501	...	58	206	225	41	1,430	629	964	358	..	
256	...	28	102	74	15	553	237	439	160	..	
368	31	19	100	158	47	1,034	478	879	326	76	
179	1	2	51	147	4	907	447	492	206	8	
334	31	8	187	175	76	659	232	587	250	6	
...	...	..	1	...	1	6	...	..	...	...	
129	3	1	31	31	29	374	168	155	71	...	
70	...	...	15	5	6	205	85	100	31	...	
108	4	5	13	12	10	218	116	60	25	...	
7	..	...	2	...	...	23	3	...	..	...	
4,636	309	354	1,694	1,789	534	12,367	4,916	7,603	3,163	149	
3,682	281	477	1,820	1,827	657	11,861	4,876	7,540	3,237	145	

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No. V.

STATEMENT showing the Appellate business of the Courts of the Central Provinces, for the year 1875.

In the Court of		For Disposal.				Disposed of.											Pending.		Number of cases in which objections under Section 348, Act VIII. of 1859 were		Average duration of each appeal tried.
								Heard *ex-parte*.				Contested.									
										Reversed.				Reversed.							
		Remaining at the close of the previous year.	Received by transfer from other provinces.	Instituted or re-admitted.	Total.	Rejected.	Dismissed for default, or under Sections 5 and 6, Act XXIII of 1861.	Confirmed.	Modified.	Without remand under Section 351, C. Civ. P.	And remanded under Section 351, C. Civ. P.	Confirmed.	Modified.	Without remand under Sec. 351, C. Civ. P.	And remanded under Sec. 351, C. Civ. P.	Total.	Total.	Over 4 months.	Profoorra	Allowed (because successfully maintained)	
1		2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21
Judicial Commissioner, Special Appeals	Regular Appeals ...	1	..	4	5	2	...	1	...	...	...	1	...	1	...	5	...	...	...	...	88·0
	From decrees Ordinary ...	26	...	286	312	143	...	4	1	4	8	18	2	36	68	284	28	..	1	1	55·3
	„ Rent Law ...	1	...	31	32	18	...	...	...	...	1	1	...	4	2	26	6	...	...	...	42·5
	From orders ...	1	...	19	20	14	...	...	...	...	1	...	...	...	2	17	3	...	...	...	67·0
Commissioners. Nagpur ...	From Decrees Ordinary...	13	...	305	318	...	24	2	4	7	...	95	15	36	32	215	103	37	15	6	81·7
	„ Rent Law ...	17	..	54	71	...	4	1	..	3	...	18	4	11	7	48	23	7	2	..	104·9
	From Orders ...	2	..	4	6	..	...	...	...	2	..	...	...	4	...	6	...	..	..	..	65·0
Jubbulpore ...	From Decrees Ordinary..	21	...	138	159	...	1	4	...	3	...	76	21	13	16	134	25	...	1	1	35·7
	„ Rent Law ...	17	...	58	75	..	5	5	...	1	...	27	10	19	2	69	6	...	...	...	37·4
	From Orders ...	3	...	43	46	...	...	21	...	4	2	3	...	2	1	33	13	...	...	...	35·9
Nerbudda ...	From Decrees Ordinary...	56	...	103	159	...	17	1	...	...	...	62	16	16	22	134	25	...	...	...	114·2
	„ Rent Law ...	32	...	68	100	...	6	...	...	...	...	31	2	21	15	75	25	1	...	...	100·3
	From Orders ...	3	...	11	14	...	...	...	...	...	...	4	...	5	1	10	4	1	...	...	98·6
Chhattisgarh...	From Decrees Ordinary...	3	...	43	46	...	3	2	...	...	...	24	1	7	4	41	5	...	...	...	40·8
	„ Rent Law ...	2	...	18	20	...	...	...	...	...	...	18	...	1	...	19	1	...	...	...	36·6
	From Orders ...	...	...	10	10	...	...	7	...	...	...	...	...	...	...	7	3	...	...	...	14·5
Total in Courts of Commissioners ...	From Decrees Ordinary...	93	...	589	682	...	45	9	4	10	...	257	53	72	74	524	158	37	16	7	74·7
	„ Rent Law ...	68	...	198	266	...	15	6	...	4	..	94	16	52	24	211	55	8	2	...	75
	From Orders ...	8	...	68	76	...	...	28	...	6	2	7	..	11	2	56	20	1	...	...	47·5

This duration does not include Regular and Special Appeals rejected (Column 6).

Deputy Commissioners.	Nagpur	From Decrees	14	...	149	163	...	21	2	...	1	...	61	15	25	31	156	7	...	...	...	31·5
		From Orders	1	...	13	14	...	1	1	...	...	..	2	1		9	14	...	..	...	..	19·4
	Chanda	From Decrees	5	...	41	46	...	2	1	2	1	...	28	6	3	1	44	2	...	...	...	24·8
		From Orders	...	...	1	1	...	...	...	..	...	...	..	...	...	..	...	1	...	...	...	...
	Bhandara	From Decrees	8	...	99	107	..	1	4	2	1	...	40	7	20	19	94	13	...	...	...	14·6
		From Orders	...	.	18	18	..	...	3	...	1	...	9	...	3	2	18	..	...	.	...	12·1
	Wardha	From Decrees	24	..	236	260	...	24	13	2	2	6	78	33	40	44	242	18	...	12	2	23·7
		From Orders	2	...	18	20	...	7	...	...	...	..	3	..	2	4	17	3	...	...	...	17·3
	Balaghat	From Decrees	...	..	34	34	...	...	2	...	..	...	16	8	4	1	31	3	..	...	...	23·2
		From Orders	...	..	1	1	...	...	...	...	...	...	1	..	.	..	1	...	..	...	...	15·0
	Jubbulpore	From Decrees	1	..	91	92	...	2	..	...	...	...	54	4	6	14	80	12	..	...	..	19·3
		From Orders	...	...	12	12	...	..	...	...	..	...	6	1	1	1	9	3	...	...	...	14·3
	Saugor	From Decrees	6	...	145	151	...	20	3	1	1	..	76	16	19	9	145	6	...	...	...	18·7
		From Orders	...	...	11	11	...	2	...	...	1	..	3	.	2	3	11	..	...	...	..	17·6
	Damoh	From Decrees	2	...	53	55	...	1	5	...	2	..	26	4	10	6	54	1	..	...	...	15·5
		From Orders	...	...	8	8	...	1	4	...	1	...	..	...	2	...	8	..	...	...	...	15·3
	Seoni	From Decrees	1	..	64	65	..	5	1	...	...	...	40	2	13	2	63	2	...	...	.	14·9
		From Orders	...	...	7	7	...	...	3	...	..	..	4	.	..	...	7	...	...	...	...	10·5
	Mandla	From Decrees	...	...	14	14	...	1	2	...	...	...	7	...	4	...	14	..	...	..	...	18·1
		From Orders	...	...	..	...	...	...	...	...	...	...	..	..	..	...	...	...	..	...	..	...
	Hoshangabad	From Decrees	25	..	281	306	...	17	12	3	5	5	122	17	54	23	258	48	...	1	1	28·5
		From Orders	1	..	26	27	...	3	6	...	9	1	5	..	2	1	27	..	...	...	...	22·6
	Betul	From Decrees	7	...	115	122	...	17	7	1	2	...	74	4	12	2	119	3	..	...	...	18·8
		From Orders	..	..	9	9	...	2	...	...	3	...	1	..	3	..	9	..	...	...	...	19·4
	Narsinghpur	From Decrees	..	17	..	283	303	...	28	7	...	...	3	138	7	34	41	258	45	...	...	.	28·2
		From Orders	...	2	..	35	37	...	5	..	..	..	...	18	..	4	5	32	5	...	...	..	27·4
	Chhindwara	From Decrees	...	7	...	114	121	...	21	5	1	4	..	52	11	17	2	113	8	...	...	..	19·7
		From Orders	...	...	...	3	3	...	...	...	...	...	1	1	...	.	...	2	1	..	...	...	14·0
	Nimar	From Decrees	..	...	...	195	195	...	20	1	..	..	1	94	30	24	18	188	7	...	...	...	14·6
		From Orders	...	...	..	7	7	...	1	2	..	..	...	2	...	2	...	7	..	...	...	...	11·5
	Raipur	From Decrees	...	4	...	141	145	...	2	...	...	...	..	89	11	20	21	143	2	...	...	...	14·4
		From Orders	...	..	..	8	8	...	...	..	...	1	...	5	...	1	1	8	..	..	...	...	10·6
	Sambalpur	From Decrees	..	4	...	53	57	...	7	1	1	1	...	32	1	8	5	56	1	..	...	...	24·3
		From Orders	..	..	..	1	1	...	...	...	...	...	...	...	...	1	...	1	...	...	...	..	10·0
	Bilaspur	From Decrees	...	4	...	86	90	...	10	8	2	2	...	43	4	9	5	83	7	1	...	...	24·3
		From Orders	...	...	...	11	11	...	1	3	...	..	3	2	...	...	2	11	...	..	...	...	13·0
	Upper Godavari	From Decrees	...	...	...	...	...	...	...	...	...	..	..	...	...	.	...	...	..	...	...	...	...
		From Orders	..	..	...	...	...	...	...	...	...	..	...	...	...	...	...	...	..	..	...	...	...
Total in all Courts of the Deputy Commissioner...		From Decrees	...	129	..	2,197	2,326	...	199	74	15	22	15	1,070	180	322	244	2,141	185	1	13	4	22·1
		From Orders	..	6	...	189	195	...	23	22	...	16	5	62	2	24	28	182	13	...	...	...	13·2
Total in all Courts ..		From Decrees Ordinary.		249	...	3,076	3,325	145	244	88	20	36	23	1,346	235	431	386	2,954	371	38	30	12	33·7
		From Rent Law	..	69	...	229	298	18	15	6	..	4	1	95	16	56	26	237	61	8	2	...	73·8
		From Orders	..	15	...	276	291	14	23	50	...	22	8	69	2	35	32	255	36	1	...	...	25·7
		Grand Total	..	333	...	3,581	3,914	177	282	144	20	62	32	1,510	253	522	444	3,446	468	47	32	12	35·8

No.

Statement of Process Fees

BENGAL SECRETARIA LIBRARY

COURTS.		(1) Fees levied. In separate detail for each Court.																
		On processes directed to be served by European bailiff (Special Rule I)		On other processes issued.						For assisting in distraint (Special Rule III).	Additional fees.				Grand total of fees levied (Columns 2 to 9.	
		At Rs. 2 rate.	At Re. 1 rate.	At Re. 1 rate.	At As. 8 rate.		At As. 4 rate.				Under Special Rule. IV.		Under Special Rule V.			
1		2	3	4	5		6			7	8		9		10	
		Rs.	Rs.	Rs.	Rs.	a.	Rs.	a.		Rs.	Rs.	a.	Rs.	a.	Rs.	a.
Nagpur ...	Civil ..	190	196	5,094	3,712	8	12,149	8		...	6	8	21	4	21,369	12
	Revenue ...	..	...	79	94	8	509	12		1	...	...	...	...	684	4
Chanda ...	Civil ...	...	...	808	663	8	1,667	0		...	9	0	4	0	3,151	8
	Revenue ...	...	...	40	18	8	85	8		...	...	..	...	...	144	0
Bhandara ...	Civil ...	...	...	470	1,369	8	2,189	8		...	...	...	..	...	4,029	0
	Revenue ...	...	...	20	71	0	122	4		...	...	...	..	...	213	4
Wardha ...	Civil ...	...	...	2,566	2,027	8	5,365	12		...	5	4	7	8	9,972	0
	Revenue ...	...	...	41	43	8	552	12		...	...	..	...	...	637	4
Balaghat ...	Civil ...	...	...	107	546	0	988	8		...	...	...	...	...	1,641	8
	Revenue ...	...	...	39	40	0	91	0		...	..	..	..	.	170	0
Jubbulpore ...	Civil ...	38	84	1,454	1,156	8	4,296	12		...	73	12	5	4	7,108	4
	Revenue ...	...	...	57	22	0	294	4		...	...	...	..	..	873	4
Saugor ...	Civil ...	...	...	1,770	1,212	0	3,421	12		..	12	8	15	0	6,431	4
	Revenue ...	...	...	143	122	0	299	4		...	3	0	..	..	567	4
Damoh ...	Civil ...	..	...	527	444	8	1,233	8		..	...	...	26	8	2,231	8
	Revenue ...	..	...	92	68	0	163	0		..	4	0	6	8	333	8
Seoni ...	Civil ...	...	...	429	515	8	1,420	0		...	..	...	...	...	2,364	8
	Revenue ...	...	...	49	50	8	152	4		..	...	...	..	...	251	12
Mandla ...	Civil ...	...	..	74	112	8	382	8		..	2	0	2	0	573	0
	Revenue ...	...	...	22	11	0	32	4		..	...	...	...	...	65	4
Hoshangabad ...	Civil ...	...	...	2,938	3,144	8	6,003	4		7	118	8	3	8	12,214	12
	Revenue ...	...	...	114	78	8	425	12		...	2	0	...	..	620	4
Betul ...	Civil ...	...	...	1,469	1,093	0	2,355	8		...	42	0	...	..	4,959	8
	Revenue ...	...	...	151	85	0	242	0		...	1	0	...		479	0
Narsinghpur ...	Civil ...	...	...	3,079	2,603	8	4,359	12		...	125	12	33	0	10,201	0
	Revenue ...	...	...	219	212	8	562	4		...	...	..	..	...	993	12
Chhindwara ...	Civil ...	...	...	863	1,382	0	2,990	0		...	91	12	...	..	5,326	12
	Revenue ...	...	...	60	27	0	100	12		..	4	0	...	..	191	12
Nimar ...	Civil ...	...	...	1,594	1,981	0	4,935	0		...	33	0	..	.	8,543	0
	Revenue ...	...	...	16	59	8	102	0		...	...	...	..	..	177	8
Raipur ...	Civil ...	...	...	945	679	0	1,922	0		..	..	..	...	...	3,546	0
	Revenue ...	...	...	70	51	8	159	4		...	..	...	..	..	280	12
Sambalpur ...	Civil ...	...	...	219	285	8	969	8		..	15	12	...	.	1,489	12
	Revenue ...	...	...	44	40	0	262	12		..	...	..	...	..	346	12
Bilaspur ...	Civil ...	...	...	820	273	0	1,185	8		...	7	11	...	..	2,286	3
	Revenue ...	...	...	85	12	8	163	8		..	2	4	...	...	263	4
Upper Godavari ...	Civil ...	...	...	27	16	8	64	12		...	...	..	...	..	108	4
	Revenue ...	...	...	1	0	8	0	12		...	...	...	...	..	2	4
Total ...	Civil ...	228	280	25,253	23,218	0	57,900	0		7	543	7	118	0	1,07,547	7
	Revenue ...	...	...	1,342	1,108	0	4,321	4		1	16	4	6	8	6,795	0
Grand Total ...		228	280	26,595	24,326	0	62,221	4		8	559	11	124	8	1,14,342	7

VI.

for the year 1875.

(2) Charges.												
In separate detail for each Court or set of Courts having a joint establishment									Collectively for the District.			Remarks, as (1) Number of processes re-issued without charge (Special Rule VI).
Naib Nazirs.		Peons.							Contingencies.			
Class and period for which employed	Total salary.	Salary of European bailiff	1st Class at Rs 10. Number on last day	1st Class at Rs 10. Total salary.	2nd Class at Rs. 8. Number on last day	2nd Class at Rs. 8. Total salary.	3rd Class at Rs. 6 Number on last day	3rd Class at Rs. 6 Total salary.	Heads of charge, *e g*, process forms, registers, other stationery, official postage, servers' badges, furniture, &c.	Charge under each head.	Grand total of all charges (Columns 12, 13, 15, 17, 19, and 21).	
11	12	13	14	15	16	17	18	19	20	21	22	23
	Rs.	Rs.		Rs.		Rs.		Rs.		Rs	Rs.	Rs.
8	2,179	652	14	1,435	9	750	96	6,789	Binding, postage and badges	827	12,635	177
1	174	...	1	116	3	379	17	1,414	Badges and postage ...	30	2,113	10
2	359	...	3	358	3	282	18	1,844	Postage, Stationery, Registers and Forms.	240	3,088	139
3	528	...	3	324	4	336	37	2,609	Postage, badges, process forms, &c.	774	4,571	49
1	180	...	1	120	1	96	13	969	Postage ...	10	1,381	68
3	433	720	6	600	4	328	20	2,269	Postage and binding ...	100	4,504	
3	658	...	3	341	3	288	36	2,707	Printing, paper and miscellaneous charges.	227	4,221	71
2	409	...	2	185	1	150	3	864	Postage ...	8	1,610	65
..	...	...	2	275	1	96	4	1,001	...	...	1,372	
..	...	...	1	120	.	...	3	524	Registers, badges and postage.	7	651	2
4	778	...	9	1,035	2	191	61	4,155	Stationery and printing .	337	6,496	72
2	395	...	4	450	2	183	30	1,970	Postage, binding, printing and wax cloth.	80	3,078	69
3	606	...	2	417	6	531	12	3,108	...	...	4,656	65
2	420	...	4	471	2	181	22	1,867	Postage, badges and binding...	42	2,981	86
2	419	...	6	720	1	96	21	1,663	Postage, binding printing, badges, and wax cloth.	146	3,043	94
1	210	...	2	236	1	80	19	1,923	Postage, binding, badges and cloth for bastas.	22	2,501	...
...	..	...	1	120	1	96	5	729	Badges ...	7	952	...
2	359	...	1	230	1	172	4	1,095	...	...	1,856	157
...	...	...	...	...	...	...	1	87	...	...	87	...
39	8,125	1,372	65	7,616	45	4,235	422	37,580		2,863	61,791	1,124

2 2 76 V 36—375

No. 1243/52

FROM

J. W. NEILL, ESQUIRE,

OFFG. SECRETARY TO THE CHIEF COMMISSIONER,

Central Provinces.

To

THE REGISTRAR,

JUDICIAL COMMISSIONER'S COURT,

Central Provinces.

Dated Nagpur, the 4th April 1877.

SIR,

I am directed to acknowledge the receipt on the 22nd March of your letter of the 19th February, being the report on the working of the Courts of Civil Judicature during the year 1876. The results of the year have been clearly and succinctly set forth, and I am now to communicate the Chief Commissioner's remarks on the more noteworthy facts in the order in which they have been treated of.

Number of Courts.

2. The number of Civil Courts has remained practically unchanged. In all, there were 134 of all grades open at the close of the year, compared with 135 of the year preceding; and the only noteworthy feature is that the number of Tahsildars' Courts fell from 49 to 47, the number of Naib Tahsildars' Courts rose from 21 to 23. There was therefore a tendency to increase the number of Courts of the lowest jurisdiction and to decrease the number of those immediately above them. It will be seen further on that this tendency coincided with the tendency of the lowest classes of suits to increase in number.

Court-houses

3. The Chief Commissioner perceives that the state of several of the Court-houses has received prominent notice, and in the reports of several of the Deputy Commissioners he has observed complaints regarding the inadequacy of accommodation provided for the Courts, or the unsuitableness of the buildings in which they are located. To a limited extent only can the Chief Commissioner sympathize with the officers who thus complain. No doubt, it would conduce greatly to the comfort of Judges of every grade if they could be provided with spacious Court-rooms, and if cutcherry buildings could all be perfect in design, and of unexceptionable execution. Doubtless too, suitors would derive some, though less benefit, were the Court-rooms in some places larger and better, and idlers about the Courts would derive still larger advantages. But were the Chief Commissioner to attempt to comply with the demands made upon him, and locate the Courts in such a way that they would no longer find cause to complain, he would have to devote to this one object, all the surplus revenues of the Province for years and years to come, to the exclusion of all other works of public importance, and he cannot bring himself to think that regard for the convenience of suitors, or the comfort of the Judges should be carried to that length. And, further, the ordinary standard of comfort in the country should be considered in the matter of providing accommodation

for the lower grades of Judges, and for the mass of suitors,—it is not the European or Western standard of comfort that should be made the measure. The district cutcherries, imperfect as some of them are, are yet all sufficiently substantial to protect the officers who work in them, although the officers may be in some of them somewhat cramped for room ; and the Tahsildars' cutcherries are in most, if not in all cases, (with the exception of the Ramgarh cutcherry, which is a temporary one) far superior in comfort to the private dwellings in which such officers reside. Even the Naib-Tahsildar of Arvi, whose Court-room, the Officiating Deputy Commissioner of Wardha described as "merely a den about 8 feet square," probably does not feel for himself the pity which is challanged on his behalf, and the Chief Commissioner would be surprised to learn that the suitors who resort to him are sensible of inconvenience. Be that as it may, however, in a case like Arvi, the location of a Naib-Tahsildar's Court in a small and inconvenient room is unavoidable, and complaint is thus useless, for there the one Court which had been sufficient to dispose of the civil litigation, had become by reason of the increase thereof unable to dispose of it ; a second Judge was required, and the cutcherry which was built for one Judge was required to accommodate two. There was only a choice between letting a second Judge sit in a room of rather minute dimensions, and trying to get on with one Judge only. The former alternative was adopted, as likely to be most in accordance with the popular wish.

From some of the remarks quoted from the reports of Deputy Commissioners, it would seem indeed as if they were themselves in a measure to blame for the inconveniences they complain of. Thus the Deputy Commissioner of Balaghat gives a piteous account of what he has to undergo because of the noise and confusion that surround him, and yet it is evident, from what he himself says, that an order from him was all that was required to cause the nuisance greatly to abate. And the Deputy Commissioner of Sambalpur compares his Court rooms, in the matter of their furniture, to second-hand auction rooms and pawn-brokers' shops, oblivious or ignorant of the fact that an air of antiquity and sombreness is one marked characterstic of the Courts of his own country, and probably of all others.

This matter of Court accommodation has been so prominently noticed in this as well as in former reports, that the Chief Commissioner has thought it advisable to notice it in his turn, but he would express his opinion that the discussion in the Judicial reports of the state of Court-houses or the want of accommodation, is out of place, unless it can be shown to have a direct bearing on the working of the Courts. The wants of the various districts, in the matter of Court-houses, as well as of other public buildings, are regularly considered every year, lists of buildings and repairs required are regularly framed for each district, and the order of their urgency is noted. The Commissioners note the comparative urgency of the wants as between different districts, and so far as funds are available provision is made in the Public Works budget for the works which are considered of the greatest importance, and for which there is the greatest need. More than this cannot be done.

Number of suits.

4. The number of suits instituted and re-instituted has again materially increased. The institutions are shown to have exceeded the number in 1875 by 7,488, the increases being mainly in the Nagpur, Raipur, Bilaspur, and Sambalpur districts.

In a few districts there has been a decrease, but in none is it remarkable. Altogether the number of suits instituted and re-instituted was 86,265, to which number the Nagpur district alone with its 631,109 inhabitants contributed 19,447, rather more than half being cases brought in the Small Cause Courts of Nagpur and Kamptee.

The district which in point of litigation ranks next to Nagpur is Nimar, which with a population of 211,176 has 8,538 suits; then Hoshangabad with 8,331 suits to a population of 463,625; and next Wardha, which counts 354,720 inhabitants and 7,159 suits. No other district in the Province has as many as 5,000.

Neither in Nagpur, Hoshangabad nor Wardha, were there ever in any previous year so many suits. In Nimar there were 8,669 in 1871, and 9,746 in 1872. In the other districts in which it has been mentioned that suits chiefly increased, the increase is perhaps not to be wondered at. In them communication is improving, and trade is becoming much brisker. More litigation may be regarded as a not unhealthy sign. A considerable increase in the number of suits in the Chanda district may perhaps be attributed to the same cause. In other districts, the variations cannot be accounted for by attributing them to any cause that lies on the surface, and speculation as to the causes are not likely to be productive of much good.

Value of suits.

5. When classified according to their value, it is shown that of 86,108 suits disposed of, 17·5 per cent were valued at less than Rs. 5; 37 per cent for sums between Rs. 5 and 20; 36 per cent for sums between Rs. 20 and 100; 8·2 between Rs. 100 and 500, leaving only 1·3 of suits valued at more than Rs. 500. Compared with the statistics of the preceding year, the suits of the lowest class of less than Rs. 5 and between Rs. 5 and 20 in value were comparatively more numerous, the higher classes comparatively less numerous, and here it is found too that in districts where suits increased most the proportion of suits of the lowest value increased most; the Sambalpur district being the only exception.

It is remarkable to see how largely in some districts the proportion of suits of the lowest class exceeded the Provincial average. Thus Nagpur, Nimar, Seoni, Chhindwara, and the Upper Godavari districts show 20 per cent of suits valued under Rs. 5; Raipur and Sambalpur nearly 23 per cent, and Bilaspur 29. On the other hand, Narsinghpur and Hoshangabad show the smallest proportion of suits of the lowest values.

Description of suits.

The great bulk of the suits brought were for money due on bond or other contract, such suits forming 83·5 per cent of the whole, while 9·3 per cent were for recovery of moveable property or its value. Of the suits for money 48·9 per cent were on written obligation, and 17·9 per cent on unwritten obligation. Compared with 1875, the proportion of claims brought on unwritten obligation was greater. The Chief Commissioner thinks the Judicial Commissioner has said all that it is safe to say under these heads.

Distribution of work.

6. The suits before the Courts were disposed of in the following proportions by the various classes of Judges:—

By Judges of Small Cause Courts	15·1
Naib-Tahsildars	28·3
Tahsildars	36·7
Assistant Commissioners	19·5
Deputy Commissioners	·4

A comparison with the results for 1875 shows that Naib-Tahsildars decided a larger proportion of suits, while Assistant Commissioners and Tahsildars decided a correspondingly smaller proportion. This was only natural and to be expected, seeing that additional Naib-Tahsildars' Courts were opened during the year, and that the great bulk of the increase of suits was, as has been seen, of suits of the lowest values.

7. The general results of trials were much the same as in former years.

Results of trials.

27·5 per cent of suits were	decreed on confession.	
18·3	do.	dismissed for default.
13·9	do.	compromised.
12·	do.	decreed exparte.
26·1	do.	were decided after contest.

The proportion of contested cases differs considerably in different districts, and also between different Courts in the same district, and the same remark might be made regarding the proportion of cases shown to have been decided in other ways. To the remarks which the Judicial Commissioner has made on the results of trials in the 18th and following paragraphs of your report, the Chief Commissioner has nothing to add.

8. Appeals to Deputy Commissioners from decrees numbered 2,441,—from orders 204,—not a large number compared with the number of cases. But the appellate work is heavy in some districts, light in others. The Deputy Commissioner of Hoshangabad disposed of 354 appeals, the Deputy Commissioner of Narsinghpur of 333, the Deputy Commissioner of Wardha of 252. In Nagpur there were 289 appeals disposed of. Where appeals are not numerous, too much stress should not be laid on the percentage of confirmations and of reversals. In Deputy Commissioners' Courts in 58 per cent of the appeals the decree of the lower Court was confirmed, in 21 per cent it was reversed, in 10 modified, and in 11 per cent of the cases the proceedings were remanded for retrial. It is noteworthy that in the districts of the Nagpur Division the percentage of decrees confirmed on appeal is lowest, and that it is lowest of all in the Nagpur district; in the Nagpur district too the percentage of cases remanded for retrial is double the provincial average, and higher than many other districts. Is there any reason for this? Are the subordinate Judges in the Nagpur Division, and especially in the Nagpur District, inferior to those elsewhere? The Chief Commissioner thinks the matter deserving of attention. The Chief Commissioner notices that the Judicial Commissioner refers to the large number of appeals that have to be disposed of by the Deputy Commissioners of Wardha, Hoshangabad and Narsinghpur. It may be necessary to take some measures to relieve them of a share at any rate of these appeals, which must prevent them from giving attention to more important duties. Many of the appeals brought are, the Chief Commissioner has been given to understand, of the most trifling kind, matters in which the decision of one Court should be final. The Deputy Commissioner of Hoshangabad gives a curious sample instance of a sweeper who appealed to his Court because he "was dissatisfied with an award about the shroud of a corpse and the remnants of a funeral repast."

Appellate business.

The appeals to Commissioners from decrees of Civil Courts were.			... 607
Under the Rent Act	...	...	... 271
From orders ...	...	...	... 124
And the number decided was—by the Commissioner,		Nagpur	.. 291
Do.	do.	Jubbulpore	... 271
Do.	do.	Nerbudda	... 228
Do.	do.	Chhattisgarh	... 163

The percentage of decrees confirmed to appeals decided varied from 46 in the Nagpur to 62 in the Jubbulpore Division, and the proportion of decrees reversed and modified was also greatest in the Nagpur Division.

In the Judicial Commissioner's Court 352 appeals are shown to have been decided, of which 41 per cent were decided by remanding the proceedings to

the lower Court for retrial; the percentage of decrees reversed was 27, and confirmed 24. But it may be thought that special appeals would not be made without apparently good grounds, and that may be the cause of the results not showing so favourably to the Lower Courts.

Execution of decrees

9. The number of applications for execution of decrees is shown to have been 56,093, a larger number by 6,000 than in 1875.

13,660 or 24·3 per cent were completely executed; 13,939 or 24·8 per cent partially executed; 23,509 or 41·9 per cent were struck off without any execution having been effected, 4,985 remained pending at the close of the year.

The results are not quite so good as in the preceding year, and the Chief Commissioner would like to see more decrees executed, and not so many struck off without any execution. He believes, however, that this, if the Courts are in any way responsible for it, is still mainly due to causes over which they have no control.

Imprisonment in execution of decree was resorted to in 668 cases, compared with 534 in 1875.

10. Having now noticed the more important matters connected with the conduct of Judicial business, the Chief Commissioner desires in conclusion to express his satisfaction with the generally efficient way in which the work of the Courts appears to have been performed.

I have the honor to be,

Sir,

Your most obedient Servant,

J. W. NEILL,

Offg. Secretary.

INDEX

To the Report on the Administration of Civil Justice in the Central Provinces, during 1876.

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No. 270.

FROM

THE REGISTRAR, JUDICIAL COMMISSIONER'S COURT,

Central Provinces.

To

THE SECRETARY TO THE CHIEF COMMISSIONER,

Central Provinces.

Dated Nagpur, 19th February 1877.

SIR,

I have the honor to submit Judicial (Civil) Statements* for 1876, with the following remarks :—

* *Prescribed.*	*Additional.*
B. 1.—Tribunal Statement.	I.—Description Value.
B. 6.—Number and description of Suits.	II.—Value.
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A.—THE TRIBUNALS [B. I.]

	1875.	1876.
† Court of the Judicial Commissioner	1	1
Courts of the Commissioner	4	4
Courts of the Deputy Commissioner	19	19
Courts of the Assistant Commissioner	35	34
Courts of the Tahsildar	49	47
Courts of the Naib Tahsildar	21	23
	129	128
Courts of Small Causes in Cantonments	4	4
‡ Courts of Small Causes, Nagpur and Jubbulpore... ...	2	2
Grand Total...	135	134

2. The number of Civil Courts in these Provinces open at the close of 1875 and 1876 respectively, are compared in the margin†

Exclusive of the above, the present Senior Assistant Commissioner at Nagpur, continues to exercise the powers of a Deputy Commissioner, under Section 16 of the Central Provinces' Courts Act.

3. Again it is seen that the number of the Naib Tahsildars' Courts goes on increasing. In addition to the 23 shown above, one other was constituted late in the year, but had not commenced business, while a second was shut temporarily only at the close of the year; and the year 1877 opened with 25 such Courts at work.

Court Houses.

4. The reports mention the state of some Court Houses as claiming notice. Nagpur District Court House, inadequate. Tirora, progress in the Tahsildar's Court House at a stand-still. Arvi, Naib Tahsildar's Court House, "a den 8 feet square." Hatta Tahsildar's Court House, dilapidated and leaky. Jubbulpore Court House, improved but still inadequate Burhanpur, some alterations much needed. Chhindwara District Court House, renovations still needed.

Balaghat.—" The new District Court House leaks a great deal. The attention of the " Executive Engineer was drawn to the subject on his visiting Balaghat in November

† In each of the Courts of Small Causes at Nagpur and Kamptee the Registrar sits as a second and separate Judge or Court.

" last. The leakage of the block of buildings, is caused by the tiles being porous " from too great admixture of sand with the clay, and I fear that the roof will con- " tinue to leak as badly as ever, until improved tiles containing much less sand are " made use of.

" The building consists of three sides of a square, and as the verandah and enclosed Court " yard resound a great deal, the noise made by persons attending at the five Courts, " besides those at the Treasury is so great, that it is not possible to write judgments " and even depositions in peace and quietness. Names of parties to a suit are bawled " out in the Court-yard, and to crown all, auction sales take place in the midst of all " this din.

" There has been less noise since parties attending in the Deputy Commissioner's Court " House have been required to assemble in the north verandah, away from the three " verandahs above mentioned. Still, however, the noise is very distracting, and the " inconvenience can be only removed by making a verandah to the east side of the " Tahsildar's and the Naib Tahsildar's Court rooms, and making the parties attend " there instead of in the Court-yard verandah.

" A proposition to add a verandah outside the east and west wings has been made by me " to the Public Works Department, and the arrangement has been approved by the " Executive Engineer, who went over the building with me.

" There was want of light in the Court rooms, but the Executive Engineer has arranged " that more light shall be given from the ventilating windows by the simple expe- " dient of sloping off the window ledge, and thus enabling the light to be thrown " down into the room."

Sambalpur.—" The District Court House is a large bungalow, originally built as a " private dwelling house. It is badly adapted for its present use, but the cost of re- " arranging it conveniently would possibly be as much as the construction of a new " building.

" The house affords accommodation to the Deputy Commissioner's, Assistant Commis- " sioner's, and Sadr Tahsildar's Courts; the first two are fair rooms, the last a wretch- " ed hole some 24′×12′, in every way unsuited to the purpose to which it is " applied.

" The Police Office is also in the same building. The furniture and fittings of the Courts " are defective, ricketty and ill-arranged, and suggest the idea of second-hand " auction rooms and pawn-brokers' shops.

" In Sambalpur the order and neatness which ought to accompany law is in no way " reflected in its surroundings."

It seems certain that private dwelling houses cannot become good District Court Houses; hence the District Court Houses at Nagpur, Jubbulpore, Narsinghpur, Hoshangabad, Betul, Chhindwara, Saugor, Seoni and Sambalpur have always been more or less the subject of just complaint.

Law Libraries.

5. The Law Libraries on the small scale which alone is permissible, are in most places in good order. The Deputy Commissioner of Sambalpur mentions difficulty in connection with the Uriya language, and has been asked to submit a special report on the subject.

		Days.
*Year ...	... ...	366
	Deduct Holidays.	
December vacation	... ...	31
Sundays in 11 months	... ...	48
Civil Courts' casual holidays	... ...	31
Close days ...	... ...	110
Open days ...	... ...	256

5a. During the year, the Courts were open on 256 days as per margin.*

6. The Local Bar consists of 3 Barristers-at-Law, one of whom resides at Nagpur and the other two at Jubbulpore; one Attorney at Hoshangabad, and 54 Pleaders whose local distribution is ordinarily as follows:—

The Local Bar.

Town.	Number.
Nagpur	17
Bhandara	2
Wardha	5
Hinganghat	2
Arvi	1
Jubbulpore	5
Saugor	7
Damoh	2
Seoni	1
Hoshangabad	6
Narsinghpur	5
Burhanpur	1
Total ...	54

Four additional certificates to plead were granted during the year.

B.—Extent and Character of Litigation [B6, B7, I. and II].

7. The following table shows that while the number of suits instituted in 1875 was larger by 689 than it had been in any one year before, the number instituted in 1876 again exceeded that in 1875 by no less than 7,488.

The principal increases have been in the Nagpur, Raipur, Sambalpur and Bilaspur districts. In these four districts the number of suits instituted in 1876 was 6,034 more than in 1875. On the other hand there have been slight decreases in the districts of Jubbulpore, Seoni, Damoh, Mandla, Narsinghpur and Chhindwara.

As usual the increase continues in the main untraceable with precision to any special cause. How this increase has been accompanied by more than proportionate increases in suits of lowest values and suits on unwritten obligation, will be seen in place further on.

Statement showing the number of suits instituted and re-instituted in the Civil Courts of the Central Provinces from 1862 to 1876.

Year.	Nagpur. District.	Nagpur. City Small Cause Court.	Nagpur. Cantonment Small Cause Court, Kamptee.	Nagpur. Total.	Chanda.	Bhandara.	Wardha.	Balaghat.	Jubbulpore. District.	Jubbulpore. City Small Cause Court.	Jubbulpore. Cantonment Small Cause Court.	Jubbulpore. Total.	Saugor. District.	Saugor. Cantonment Small Cause Court.	Saugor. Total.	Seoni.	Damoh.	Mandla.	Hoshangabad.	Betul.	Nimar. District.	Nimar. Cantonment Small Cause Court Asirgarh	Nimar. Total.	Narsinghpur.	Chhindwara.	Raipur.	Bilaspur.	Sambalpur.	Upper Godavari.	Grand Total.
1862 ...	3,349	1,622	1,612	6,583	667	1,750	658	...	1,619	315	504	2,438	2,313	601	2,914	806	760	369	2,016	1,058	...	...	...	2,121	705	1,326	163	345	7	24,666
1863 ...	3,020	1,436	2,338	6,794	687	1,634	592	...	1,385	1,321	686	3,392	2,380	572	2,952	973	729	201	2,202	1,142	...	...	...	2,691	1,038	820	222	201	35	26,305
1864 ...	2,647	1,092	1,706	6,045	716	1,692	490	...	1,230	1,683	612	3,525	2,109	1,161	3,270	1,280	859	354	3,183	1,228	4,398	...	4,398	2,542	870	1,221	707	275	42	2,692
1865 ...	2,974	1,288	806	5,068	649	2,076	927	...	1,734	1,739	455	3,928	2,741	709	3,450	1,343	1,377	563	5,887	1,156	3,854	..	3,854	3,558	1,303	1,573	1,781	695	66	39,254
1866 ...	3,286	2,320	1,017	6.623	1,021	2.420	1.216	...	1,405	1,636	481	3,522	2,988	720	3,708	1,185	1,289	421	5,279	1,194	7,561	...	7,561	3,416	1,845	1,379	2,896	594	163	45,250
1867 ..	3,390	3,289	1,323	8,002	1,219	2,934	1,893	803	1,685	1,662	296	3,643	2,724	389	3,113	1,263	1,709	380	5,427	1,979	5,541	27	5,568	3,272	1,990	1,406	3,762	592	89	48,544
1868 ..	4,566	4,060	2,083	10,709	1,636	2,798	3,057	810	1,699	2,052	541	4,292	3,612	559	4,171	1,394	1,631	401	5,494	2,732	6,508	244	6,752	4,125	2,770	1,659	3,466	538	125	58,558
1869 ...	5,529	4,415	3,454	13,398	2,006	2,814	3,724	925	1,441	1,984	514	3,939	4,052	835	4,887	1,367	1,760	528	5,668	2,354	7,854	293	8,147	4,535	3,340	1,982	1,298	886	159	63,137
1870 ...	5,648	4,880	3,407	13,93[illegible]	2,587	3,596	4,277	727	1,725	2,435	445	4,605	4,003	692	4,695	2,185	1,693	656	6,750	2,702	7,689	165	7,854	5,657	4,027	3,123	1,866	959	289	72,183
1871 ...	6,761	5,300	2,594	14,661	2,937	3,507	6,169	1,236	2,278	2,499	463	5,240	3,132	699	3,831	2,619	1,783	569	6,695	3,207	8,551	118	8,669	6,385	3,616	3,194	2,381	1,112	286	78,088
1872 ...	6,060	5,061	2,779	13,900	2,072	3,122	5,485	989	2,313	2,400	511	5,224	2,652	672	3,324	1,904	1,343	679	7,219	3,249	9,572	174	9,746	5,593	3,537	2,644	2,561	1,087	277	73,955
1873 ...	6,315	5,709	2,428	14,452	2,161	2,663	6,051	1,191	1,985	2,254	437	4,676	2,979	432	3,411	1,692	2,060	661	7,918	3,278	7,808	147	7,955	6,369	3,633	2,657	2,081	1,427	252	74,594
1874 ...	6,904	6,104	2,837	15,845	2,039	2,707	6,839	1,319	2,106	2,493	445	5,044	3,328	302	3,630	1,450	1,744	690	7,522	2,983	7,480	90	7,570	6,265	3,729	3,662	2,085	1,337	179	76,639
1875 ...	7,310	5,993	2,885	16,188	2,235	2,812	7,061	1,508	2,012	2,278	421	4,711	3,381	281	3,662	1,863	1,541	630	7,927	3,225	8,208	62	8,270	5,756	4,464	3,358	2,043	1,354	169	78,777
1876 ...	9,152	7,465	2,830	19,447	3,175	3,190	7,159	1,581	2,205	2.037	430	4,672	3,719	399	4,018	1,661	1,477	624	8,331	3.396	8,454	84	8,538	4,967	4,391	4,833	2,885	1,812	108	86,265
Grades and number of Courts at the close of 1876. — Courts of the Deputy Commissioner ..	1	1	1	1	1				1			1			1	1	1	1	1	1			1	1	2	1	1	1	1	19
Courts of the Assistant Commissioner.	2	2	2	2	2				3			3			1	1	1	1	4	1			3	2	1	3	2	1	...	34
Courts of the Tahsildar ...	4	3	2	2	2				3			3			3	2	2	2	4	2			2	2	2	4	3	2	1	47
Courts of the Naib Tahsildar ...	1	1	2	3	1				1			1			1	1	...	...	2	2			1	2	1	2	1	1	...	22
Small Cause Courts and Registrars' Courts ...	4	...	...	...	...				2			2			1	...	...	...	...	...			1	...	...	...	...	...	...	8
Total ...	12	7	7	8	6				10			10			7	5	4	4	11	6			8	7	5	10	7	5	2	131

I.—Increase and Decrease of Litigation.

Comparative table of suits instituted and re-instituted.

8. The following table shows the fluctuations of business during the last four years in the Courts at each locality where they are established :—

Locality of Courts.		Number of suits instituted and re-instituted.			
		1873.	1874.	1875.	7876.
Nagpur ...	Nagpur ...	1,900	2,267	2,580	2,595
	Court of Small Causes, Nagpur ...	5 709	6,104	5,993	7,465
	Total ...	7,609	8,371	8,573	10,060
	Kamptee ...	2,428	2,837	2,885	2,830
	Katol ...	2,141	2,153	2,159	2,703
	Ramtek ...	1,559	1,425	1,550	2,335
	Umrer ...	715	1,059	1,021	1,519
Chanda ...	Chanda ...	736	596	693	805
	Warora ...	694	716	682	1,412
	Mul ...	430	278	324	426
	Brahmapuri ...	301	449	536	532
Bhandara ...	Bhandara ...	1,304	1,327	795	1,279
	Tirora ..	893	794	1,353	1,337
	Sakoli ..	466	586	664	574
Wardha ..	Wardha ...	2,755	3,447	3,503	3,923
	Arvi ..	2,132	1,984	2,186	1,917
	Hinganghat ...	1,164	1,408	1,372	1,319
Balaghat ...	Burha ..	1,083	1,135	1,396	1,443
	Behir ...	108	184	112	138
Godavari ...	Sironcha ...	135	162	169	108
	Dumagudium ...	117	17	...	...
Jubbulpore ..	Jubbulpore ..	858	824	905	920
	Court of Small Causes, Jubbulpore ...	2,254	2,493	2,278	2,037
	Do. do. Cantonment...	437	445	421	430
	Total ..	3,549	3,762	3,604	3,387
	Murwara ...	273	357	322	341
	Sihora ..	854	925	785	944

Locality of Courts.		Number of suits instituted and re-instituted.			
		1873.	1874.	1875.	1876.
SAUGOR ...	Saugor ...	1,486	1,559	1,539	1,729
	Court of Small Causes, Saugor ...	432	302	281	299
	Kurai ...	492	619	705	775
	Rehli ...	748	815	929	936
	Banda ...	253	335	208	279
DAMOH ...	Damoh ...	1,577	1,298	1,202	1,156
	Hatta ...	489	446	339	321
SEONI ...	Seoni ...	1,186	1,112	1,446	1,229
	Laknadon ..	342	338	417	432
MANDLA ..	Mandla ...	618	631	504	506
	Ramgarh ...	43	59	126	118
HOSHANGABAD ..	Hoshangabad ...	3,468	2,263	28,006	2,349
	Seoni ...	725	805	803	897
	Harda ...	1,593	2,776	3,044	3,621
	Sohagpur ...	2,132	1,678	2,074	1,464
BETUL ...	Betul ...	1,733	1,732	1,994	2,030
	Multai ...	1,545	1,251	1,231	1,366
NARSINGHPUR...	Narsinghpur ...	2,725	2,833	2,651	2,314
	Chawarpatha ...	504	566	512	165
	Gadarwara ...	3,140	2,866	2,593	2,488
NIMAR ...	Khandwa ...	4,514	4,327	4,842	4,974
	Burhanpur ...	2,540	2,506	2,582	2,722
	Mortakka ...	754	647	784	758
	Court of Small Causes, Asirgarh ...	147	90	62	84
CHHINDWARA ..	Chhindwara ...	2,595	2,273	2,913	2,993
	Saosar ...	1,038	1,456	1,551	1,398
RAIPUR ...	Raipur ..	1,556	2,132	2,115	2,788
	Drug ...	286	362	374	479
	Dhamtari ...	399	525	349	620
	Simga ...	416	643	520	946
SAMBALPUR ...	Sambalpur ...	1,115	795	906	1,151
	Bargarh ...	312	542	448	661
BILASPUR ...	Bilaspur ...	1,244	1,354	1,329	1,727
	Mungeli ...	513	502	465	749
	Seorinarain ...	324	229	249	409
	Total ...	74,594	76,639	78,777	86,265

II.—Value of Suits.

Relative value of suits disposed of.

9. The relative value of suits disposed of in the years 1875-76, are compared in the following table :—

Grades of value not exceeding	Number of suits disposed of in 1875.	Number of suits disposed of in 1876.	Percentage of total suits.		Average value.	
			1875.	1876.	1875.	1876.
					Rs.	Rs.
Rupees 5 ...	12,676	15,042	16·3	17·5	3·3	3·3
" 20 ...	28,223	31,821	36·2	37·	12·2	12·2
" 100 ...	29,049	30,956	37·2	36·	44	41
" 500 ...	6,894	7,106	8·8	8·2	191	189
" 1,000 ...	621	666	1·5	1·3	684	691
" 5,000 ...	483	450			1,912	1,859
" 10,000 ...	47	39			6,814	6,452
Exceeding Rs. 10,000 ...	22	28			1,48,899	34,329
Total ...	78,015	86,108	100·	100·	...	...

Observations on values of suits by districts.

10. The following table presents the subject in detail of districts.

Percentages of suits [disposed of] of the several classes of value.

Districts.		Not exceeding Rs. 5.	Not exceeding Rs. 20.	Not exceeding Rs. 100.	Not exceeding Rs. 500.	Exceeding Rs. 500.
Nagpur ...	1876.	20·8	39·3	32·8	6·2	·9
	1875	19·4	37·4	34·4	7·5	1·3
Chanda ...	1876	15 2	41·5	37·2	5·5	·6
	1875	12·8	38·1	41·2	7·2	·7
Bhandara ...	1876	15·1	36·4	39·8	7·9	·8
	1875	11·1	36·7	43·2	8·2	·8
Wardha ...	1876	14·5	37·4	37·8	9·5	·8
	1875	12·8	35·	40 8	10·2	1·2
Balaghat ...	1876	17·6	36·1	36·	9·	1·3
	1875	17·3	36·	37·9	7·5	1·3
Upper Godavari ...	1876	20·5	32·1	43·8	2·7	·9
	1875	30·3	44·2	21·6	3·9	...
Jubbulpore ...	1876	14·1	34·5	37·2	11·2	3·
	1875	14·3	36·	36·5	10·6	2·6
Saugor ...	1876	11·8	35·8	39·9	10·7	1·8
	1875	12·3	35·9	39·5	10·2	2·1
Damoh ...	1876	11·1	38·	42·2	8·	·7
	1875	11·9	39·8	37·	10·	1·3
Seoni ...	1876	20·5	37·6	31·1	9·1	1·7
	1875	16·6	38·7	34·9	7·6	2·2
Mandla ...	1876	14·6	40·1	37·3	7·4	·6
	1875	21·	39·5	34·5	4·8	·2
Hoshangabad ...	1876	11·8	31·7	40·2	13·5	2·8
	1875	12·5	31·2	39·4	14·1	2·8
Betul ...	1876	18·3	39·3	33·6	7·5	1·3
	1875	18·2	37·2	36·	7·3	1·3
Narsinghpur ...	1876	9·1	33·4	44·2	10·9	2·4
	1875	10·5	33·4	45·2	8·8	2·
Chhindwara ...	1876	20·1	39·1	35·3	5·	·5
	1875	20·3	37·6	36·7	5·4	·6
Nimar ...	1876	20·	35·2	36·8	7·	1·
	1875	17·7	37·2	35·9	8·4	·8
Raipur ...	1876	22·8	37·2	30·7	7·6	1·7
	1875	20·1	36·3	33·2	8·5	1·9
Sambalpur ...	1876	22·8	38·4	32·2	5·7	·9
	1875	23·1	39·4	31·6	5·5	·4
Bilaspur ...	1876	29·1	39·7	24·	6·2	1·
	1875	27·2	37·4	25·6	8·3	1·5

Except in the Courts of the Sambalpur district, the increase which is thus seen to have taken place in suits of value less than Rs 20, has been proportionately greatest where the litigation most increased on the whole; but even in the Courts of the Chhindwara and Seoni districts, where litigation considerably decreased, there has been an increase in suits of this low value.

III.—Description of Suits.

Comparison of numbers and proportion of suits 1875, 1876.

11. The following table comparing the number and proportion of suits of the principal kinds during 1875 and 1876, is prepared from Statement No. I.

Suits for	1875.		1876.	
	Number of suits.	Percentage of total suits.	Number of suits.	Percentage of total suits.
Money due on bond or other contract ...	65,777	84·3	71,892	83·5
Recovery of moveable property or value thereof ...	6,664	8·5	8,018	9·3
Damages ...	1,789	2·3	1,982	2·3
Immoveable property ...	2,427	3·1	2,669	3·1
Rent not falling under the Rent Law ...	639	·8	702	·8
Other claims ...	719	1·	845	1·
Total ...	78,015	100·	86,108	100·

The increasethough of course greatost numerically under the head of "money "due on bond or other contract", is yet not proportionately so great under that head as under any of the other heads; while under the next head "reco-"very of moveable property or value thereof," the converse is the case. But this may be partly owing to some want of uniformity in classification. If these two heads be added together, then the proportions of suits under the main heads of description are the same as last year.

But the increase of 242 suits under the head "immoveable property" is noteworthy.

Distribution of suits under sub-heads.

12. Under the several sub-heads of contract the returns for the two years are contrasted below :—

Sub-heads of suits for money due for breach of contract.	1875.		1876.	
	Number of suits under each sub-head.	Percentage of total suits.	Number of suits under each sub-head.	Percentage of total suits.
Written obligation ...	40,205	51·5	42,084	48·9
Unwritten obligation ...	12,701	16·3	15,397	17·9
Account stated ...	1,416	1·8	1,516	1·7
Money paid or received ...	841	1·1	921	1·1
Goods sold and delivered ...	9,674	12·4	10,993	12·8
Breaches of contract not included above...	940	1·2	981	1·1
Total ...	65,777	84·3	71,892	83·5

Here the noteworthy point appears to be the more than proportionate increase under the head "unwritten obligation," and the cognate head "goods sold and delivered."

Classification of suits under main-heads.

13. The statistics of each district for 1876 for the main classes of suits are given in the following table:—

Districts (Small Cause Court figures being included.)	Total suits disposed of.	For money due. On written obligation. Number.	Percentage of suits disposed of.		On unwritten obligation. Number.	Percentage of suits disposed of.		For goods sold and delivered. Number.	Percentage of suits disposed of.		For recovery of moveable property or value thereof. Number.	Percentage of suits disposed of.		For damages. Number.	Percentage of suits disposed of.		For immoveable property. Number.	Percentage of suits disposed of.	
		1876	1876	1875	1876	1876	1875	1876	1876	1875	1876	1876	1875	1876	1876	1875	1876	1876	1875
Nagpur ...	19,517	10,513	53·9	57·8	3,209	16·5	14·9	3,139	16·	15·	998	5·2	3·6	283	1·5	1·9	519	2·7	2·6
Chanda ...	3,229	1865	57·8	63·2	512	15·9	10·1	262	8·1	6·6	337	10·4	10·6	74	2·3	2·6	27	·8	1·3
Bhandara ...	3 161	1,656	52·4	60·6	·508	16·	11·8	259	8·2	4·7	463	14·7	16·1	108	3·4	1·7	63	2·	1·8
Wardha ...	7,085	3,772	53·2	51·3	1,130	15·9	18·1	935	13·2	13·	426	6·	6·3	99	1·4	1·6	112	1·6	2·4
Balaghat ...	1,647	803	48·8	47·3	383	23·3	21·7	56	3·4	3·5	219	13·3	13·6	56	3·4	4·7	31	1·9	1·9
Jubbulpore ...	4,492	1,842	41·	39·8	915	20·4	18·2	679	15·1	15·6	157	3·5	4·2	125	2·8	3·6	289	6·4	5·3
Saugor ...	4,059	2,106	51·9	49·4	565	13·9	13·2	475	11·7	10·8	430	10·6	13·3	36	·9	1·4	138	3·4	3·8
Damoh ...	1,462	745	51·	53·1	205	14·	10·5	90	6·2	6·8	235	16·1	15·2	40	2·7	3·1	76	5·2	5·2
Seoni ...	1,684	567	33·7	38·4	485	28·8	24·1	151	9·	11·4	220	13·1	13·2	121	7·2	6·2	79	4·7	3·2
Mandla ...	623	176	28·2	27·4	213	34·2	30·8	67	10·8	15·3	59	9·5	10·5	43	6·9	6·8	21	3·4	1·3
Hoshangabad..	8,471	3,954	46·7	45·7	1,564	18·5	19·8	575	6·8	6·8	1,671	19·7	20·5	53	·6	·9	301	3·6	2·9
Betul ...	3,318	1,500	45·2	50·1	793	23·9	20·7	400	12·1	12·	258	7·8	5·1	107	3·2	3·6	124	3·1	2·8
Narsinghpur ..	4,914	3,027	61·6	61·8	·664	13·5	12·1	303	6·2	7·5	295	6·	5·8	85	1·7	1·5	259	5·3	5·9
Nimar ...	8,489	4,719	55·6	58·5	1,239	14·6	13·7	1,593	18·8	17·4	264	3·1	3·1	91	1·1	1·	145	1·7	1·7
Chhindwara...	4,344	2,198	50·6	54·1	927	21·3	16·3	400	9·2	9·4	413	9·5	7·7	102	2·3	1·9	135	3·1	3·6
Raipur ...	4,858	1,336	27·5	33·6	1,215	25·	23·7	763	15·7	16·2	821	16·9	12·4	283	5·8	5·1	197	4·3	4·3
Sambulpur ...	1,748	621	35·5	37·5	217	12·4	11·7	305	17·4	18·4	284	16·2	15·4	90	5·1	5·3	101	5·8	4·5
Bilaspur ...	2,894	642	22·2	31·8	626	21·6	16·9	518	17·9	23·1	461	15·9	11·4	182	6·3	5·	52	1·8	2·1
Up. Godavari..	112	42	37·5	29·8	27	24·1	17·1	23	20·5	32·6	7	6·2	5·	4	3·6	2·8	...	...	...
Total ...	86,107	42,084	48·9	51·5	15,397	17·9	16·3	10,993	12·8	12·4	8,018	9·3	8·5	1,982	2·3	2·3	2,669	3·1	3·1

The proportionate decrease in suits on written obligation is pretty general. The exceptions are in the Courts of the districts of Wardha, Balaghat, Jubbulpore, Saugor, Mandla and Hoshangabad. It will be seen that the increase in the number of suits for immoveable property (already alluded to), has occurred chiefly in the Courts of the Nagpur (103), Jubbulpore (40), Hoshangabad (75), Betul (32), Raipur (56), and Sambalpur (41) districts.

In the Courts of the Hoshangabad district, the increase is accounted for by an unusual number of suits by landlords to eject tranferees of occupancy ryots' holdings.

IV.—Description and Value (together) of suits.

Relative value of the principal description of suits.

14. The table shows the relative value of suits of the principal descriptions :—

Description of suits.	No.	Percentage of suits not exceeding				Suits above.	
		Rs. 5.	Rs. 20.	Rs. 100.	Rs. 500.	Rs. 500.	Total.
Written obligation ...	42,084	4·4	35·2	48·9	10·1	1·4	100·
Unwritten obligation ...	15,397	31·2	44·	20·3	3·9	·6	100·
Goods sold and dilivered ...	10,993	48·2	38·1	12·3	1·3	·1	100·
Moveable property and value thereof.	8,083	19·2	38·4	33·8	7·8	·8	100·
Damages ...	1,982	16·3	35·8	39·4	7·4	1·1	100·
Immoveable property ...	2,669	12·6	27·	35·3	18·8	6·3	100·

It will be seen that the larger number of the suits for immoveable property are still of comparatively trifling value ; but the value of the property is not in the case of suits for the possession of land on establishment or disproof of right of occupancy, always taken as the value of the suit.

C.—General Distribution and Result of Trial of Civil Suits by Courts of Original Jurisdiction [B. 8 and III.]

I.—Distribution.

15. The following table shows how suits disposed of were distributed among the different classes of Courts in the several districts :—

Total number of Judges.	8	23	47	34	19	4	135
Districts.	Small Cause Courts.	Naib Tahsildars.	Tahsildars.	Assistant Commissioners.	Deputy Commissioners.	Commissioners.	Total.
Nagpur ...	10,262	3,147	4,574	1,523	11	...	19,517
Chanda ...	...	1,100	1,300	828	1	...	3,229
Bhandara ...	...	1,624	938	594	5	...	3,161
Wardha ...	...	4,205	1,949	928	3	...	7,085
Balaghat ...	..	462	490	682	13	...	1,647
Jubbulpore ...	2,362	440	1,152	526	12	..	4,492
Saugor ...	306	576	1,450	1,701	26	...	4,059
Damoh ...	...	...	875	585	2	...	1,462
Seoni ...	...	357	1,003	301	23	...	1,684
Mandla ...	...	...	422	166	35	...	623
Hoshangabad ...	...	2,510	4,628	1,315	18	...	8,471
Betul ...	...	1,152	1,480	658	28	...	3,318
Nimar ...	84	2,086	2,117	4,135	67	...	8,489
Narsinghpur ...	..	1,625	1,909	1,352	28	..	4,914
Chhindwara ...	...	1,419	2,370	547	8	...	4,344
Raipur ...	...	2,025	2,359	473	1	...	4,858
Sambalpur ...	...	534	978	231	5	...	1,748
Bilaspur ...	...	1,062	1,569	262	1	...	2,894
Upper Godavari ...	...	...	55	...	57	...	112
Commissioner, Chhattisgarh Dn.	...	...	...	...	...	1	1
Total ... 1876 ...	13,014	24,324	31,618	16,807	344	1	86,108
Total ... 1875 ...	11,882	19,066	29,958	16,760	349	...	78,015
Percentage ... 1876 ...	15·1	28·3	36·7	19·5	·4	...	100·
Percentage ... 1875 ...	15·2	24·5	38·4	21·5	·4	..	100·
Percentage ... 1874 ...	15·9	17·6	44·6	21·4	·5	..	100·
Percentage ... 1873 ...	15·2	11·4	45·6	27·3	·5	...	100.

The following table shows the proportions in which suits of the several grades of value, were disposed of by the various classes of Judges :—

Judges.		Registrars of Courts of Small Causes.	Judges of Courts of Small Causes.	Naib Tahsildars.	Tahsildars.	Assistant Commissioners.	Deputy Commissioners.	Total.	Remarks.
Number of Judges.		2	6	23	47	34	19	131	
Salary of Judges.		Rs. 100 and 200.	*Rs. 700 to 1,000.	Rs. 50 to 75.	Rs. 100 to 200.	Rs. 400 to 700.	From Rs. 833 to Rs. 1,833.		
Grades of value of suits.	Total number of suits disposed of	Percentage of suits disposed of before each class of Judge.							
Not exceeding Rupees 5...	15,042	17·7	3·5	44·8	28·4	5·5	·1	100·	* Includes the Judge, Assirgarh Cantonment, who receives a staff allowance of Rs. 260. † Not exceeding Rs. 50 in value.
Do. „ 20...	31,821	11·3	5·7	41·9	32·3	8·7	·1	100·	
Do. „ 100...	30,956	...	12·1	† 13·7	48·5	25·4	·3	100·	
Do. „ 500 ..	7,106	...	8·9	...	28·4	62·	·7	100·	
Do. „ 1,000...	666	...	4·4	..	...	93·8	1·8	100·	
Do. „ 5,000 ..	450	...	...	...	...	79·5	20·5	100·	
Do. „ 10,0000 ..	39	...	...	...	...	...	100·	100·	
Do. „ 1,00,000...	28	...	...	...	...	...	100·	100·	
Exceeding „ 1,00,000.	...	...	...	...	...	...	...	...	
All grades ...	86,108	7·	8·1	28·3	36·7	19·5	·4	100	

While, as has been seen, institutions increased by 7,486, there were 8,093 disposals more than in 1875 ; and of these no less than 6,913 were by Courts of the Tahsildar and Naib Tahsildar.

The proportion of suits disposed of by Naib Tahsildars has risen to 28·3 per cent.

II.—Results of Trial.

16. The general results of the trial of the suits disposed of were :—

	Number of suits.	Proportion per cent.	Corresponding proportion per cent in 1875.
Plaints rejected or returned ...	643	·7	·6
Transferred to other District or Small Cause Court jurisdictions ...	...		
Without Contest.			
Decreed on confession ...	23,287	27·1	27·5
Dismissed for default ...	16,296	19·	18·3
Compromised ...	11,450	13·3	13·9
Decreed *exparte* ...	9,947	11·6	12·
Withdrawn with leave ...	943	1·1	1·2
Dismissed *exparte* ...	504	·6	·4
Total uncontested ...	62,427	72·7	73·3
Contested and Judgment given for.			
Plaintiff in whole ...	9,723	11·3	11·4
Do. in part ...	7,286	8·4	8·2
Defendant in whole ...	6,028	6·9	6·5
Total contested ...	23,037	26·6	26·1

17. The following table shows the proportions of contested suits in districts and Courts of Small Causes for 1875 and 1876 :—

Contested suits.

Districts and Small Cause Courts.	1875.	1876.
Nagpur	22·7	22·1
Court of Small Causes, Nagpur	24·7	26·9
Court of Small Causes, Kamptee	19·6	20·8
Chanda	28·2	32·4
Bhandara	24·1	25·1
Wardha	25·5	25·8
Balaghat	26·8	24·2
Jubbulpore	33·5	37·9
Court of Small Causes, Jubbulpore	34·2	32·
Court of Small Causes, Jubbulpore Cantonment ...	29·7	35·6
Saugor	24·1	20·7
Court of Small Causes, Saugor	26·2	26·1
Damoh	26·5	29·8
Seoni	24·3	29·1
Mandla	33·6	30·7
Hoshangabad	22·9	23·8
Betul	25·8	22·1
Narsinghpur	34·4	35·8
Chhindwara	27·1	28·2
Nimar	17·4	18·2
Court of Small Causes, Asirgarh	31·3	17·9
Raipur	38·4	40·5
Sambalpur	36·8	29·8
Bilaspur	31·1	33·9
Upper Godavari	22·6	30·4
Total ...	26·1	26·6

18. The proportion of dismissals for default is highest in Bilaspur, Betul, Hoshangabad and Jubbulpore. The Deputy Commissioner of Jubbulpore considers the matter is one beyond the Courts' control, but some other reports allude to alterations in one or two Courts of dates and places of hearing, in the absence of plaintiffs followed by dismissals in default which could scarcely have been fair.

Defaults.

The proportion of dismissals for default is lowest in the Courts of the Chanda district, and next lowest in Saugor.

19. The proportion of suits decreed on confession has fallen slightly. It is still highest in the Courts of the districts of Nimar, Chanda and Balaghat. In Saugor there has been an increase in these decrees which the Deputy Commissioner has been unable fully to explain, but thinks it may be partly due to more frequent ordering of payment by instalments and of saddling plaintiffs with costs; the proportion is now nearly the same as in the last of the above three districts. Nimar still remains peculiar.

Confessions.

The decrees on confession are lowest at Bilaspur and Jubbulpore. In Bilaspur the decrease is remarkable in view of the large increase in suits of the lowest values.

20. Decrees *exparte* are again most numerous in Hoshangabad and Narsinghpur; Wardha follows close behind.

Exparte.

In the Court of Small Causes, Nagpur, and in the Courts of the Saugor District, the dismissals *exparte* are low ; but so are the dismissals generally.

21. The general proportion of contested cases continues stationary, though the tendency is still to increase.

Contested.

The only districts in which there has been any considerable falling off, are Balaghat, Saugor, Mandla, Betul and Sambalpur.

The Deputy Commissioner of Saugor mentions that he has inspected a number of cases, and sees nothing to complain of, and attributes fluctuations in results in some degree to the idiosyncrasies of Judges, while the Deputy Commissioner of Sambalpur says that the fall is due to more correct classification.

22. The number of suits in which any matter was decided on oath of party on witness has again risen. No doubt the frequency or infrequency of resort to this measure also depends a good deal on the Judge.

Decisions on oath.

23. The figures showing awards of costs against a winning plaintiff are not altogether reliable. Some awards have not been free from objection ; the number of these awards, however, is on the whole not excessive.

Costs on Plaintiff.

24. The number of orders for payment by instalments has decreased. The practice of the Courts in this respect will always vary, and perhaps comprise some excesses.

Payment by instalments.

25. Durations stand at 25·8 days for contested and 17·5 days for uncontested cases, slightly higher than last year, but still indicative of a despatch of business characterised on the whole by healthy promptitude. Durations continue longest in the Courts of the Nagpur District, where they average 36·8 and 21·3 days for contested and uncontested suits respectively.

Duration of suits.

26. When the Courts closed at the end of the year only 6 suits pended over four months and 32 over two months.

Pending Files.

D.—Appellate Business. [B 9 & V.]

Appeals to the Judicial Commissioner, Commissioners and Deputy Commissioners.

27. First appeals numbered ;

	Courts of Deputy Commissioners.		Courts of Commissioners.		Court of the Judicial Commissioner.		Total.		Percentage on 17,283 Contested cases in 1875	Percentage on 19,581 Contested cases in 1876
	1875	1876	1875	1876	1875	1876	1875	1876	1875	1876
From Decrees. Of ordinary Civil Courts ...	2,197	2,441	589	607	5	1	2,791	3,049	16·1	15·6
From Decrees. Of Courts under the Rent Law ...	...	...	198	271	...	...	198	271	...	...
From orders ...	189	204	68	124	...	...	257	328	...	...
Total ...	2,386	2,645	855	1,002	5	1	3,246	3,648	...	...

Disposal of appeals.

And appeals first and special were disposed of (otherwise than by transfer) thus :—

COURTS.	Applications for special appeal rejected.	Dismissed for default.		Remanded for retrial.		Decree of Lower Court.						Total disposed of.
						Modified.		Reversed		Confirmed.		
		Number.	Percentage of total appeals disposed of.	Number.	Percentage on column 13, minus column 3.	Number.	Percentage on column 13, minus column 3	Number.	Percentage on column 13, minus column 3.	Number.	Percentage on column 13, minus column 3.	
1	2	3	4	5	6	7	8	9	10	11	12	13
Court of the Judicial Commissioner ...	167	...	...	75	41	16	8	50	27	44	24	352
Courts of the Commissioner												
Nagpur ...		36	12	31	12	40	16	66	26	118	46	291
Jubbulpore ...		18	7	44	17	19	8	34	13	156	62	271
Nerbudda ...		34	15	62	32	11	6	7	3	114	59	228
Chhattisgarh ...		3	2	27	17	14	9	30	19	89	55	163
Total ...		91	10	164	19	84	10	137	16	477	55	953
Court of the Deputy Commissioner Nagpur and of Assistant Commissioner with powers of a Deputy Commissioner ...		27	9	57	22	35	13	54	21	116	44	289
Chanda ..		8	11	6	9	9	14	18	27	33	50	74
Bhandara ...		5	4	21	17	14	12	30	25	55	46	125
Wardha ...		20	8	7	3	34	15	78	34	113	48	252
Balaghat ...		7	14	9	20	6	13	9	20	21	47	52
Jubbulpore ...		14	11	6	5	4	4	24	21	79	70	127
Saugor ...		20	13	5	3	15	11	25	18	94	68	159
Damoh ...		1	4	2	9	...	...	3	14	17	77	23
Seoni ...		4	4	7	7	11	11	17	16	69	66	108
Mandla ...		..	...	2	14	...	...	3	22	9	64	14
Hoshangabad ...		39	11	25	8	29	9	69	22	192	61	354
Betul ...		9	8	14	13	11	11	18	17	61	59	113
Narsinghpur ...		18	5	43	14	29	9	43	14	200	63	333
Chhindwara ...		12	10	13	12	5	5	22	21	67	62	119
Nimar ...		14	8	13	8	17	11	22	14	103	67	169
Raipur ...		14	8	21	13	12	7	39	24	90	56	176
Sambalpur ...		10	12	7	10	5	7	11	16	47	67	80
Bilaspur ...		9	12	4	6	10	16	14	22	36	56	73
Upper Godavari ...		..	...	..	...	...	...	...	...	1	100	1
Total ...		231	9	262	11	246	10	499	21	1,403	58	2,641
Grand Total ...		322	8	501	14	346	10	686	20	1,924	56	3,946

It will thus be seen that appeals increased in number, although their proportion to contested suits slightly decreased. The large numbers of appeals in the Courts of the Deputy Commissioner at Wardha, Hoshangabad and Narsinghpur are noticeable. In respect of Wardha, the matter has recently formed subject of special report, and like representation may now be expected from Hoshangabad.

Durations.

28. The durations of appeals in the Courts of the Commissioner of the Nagpur and Nerbudda Divisions (vide Statement V.) were again much too long, and, correspondingly the pending files comprise what may be termed arrears.

The durations of appeals in the Courts of the Deputy Commissioners were generally fair, and the pending files are consequently small.

E.—Execution of Decrees [B 10 & IV.]

Execution.

29. Statement IV. shows only the ordinary incidents of execution. The diminished number of alienations under Section 244, Act VIII. of 1859, may attract notice, but as explained last year circumstances induced alienations in unusual number in 1875.

30. The following table exhibits the extent to which Courts executing decrees, applied for sanction to execute sale of property in land, under the special proviso subject to which the Code of Civil Procedure was extended to these Provinces.

Districts	Sales of ancestral property in land sanctioned during 1876.					Sales disallowed.
	More villages than one.	Single villages.	Shares in villages.	Other land.	Total.	
Nagpur ...	3	6	14	86	109	...
Chanda ...	1	1	...	...	2	...
Bhandara ..	2	5	6	10	23	...
Wardha ...	...	1	6	21	28	2
Balaghat ..	...	1	13	12	26	1
Jubbulpore ...	...	3	24	19	46	3
Saugor ..	...	2	5	3	10	...
Damoh ...	...	1	11	3	15	...
Seoni ...	...	...	3	2	5	...
Hoshangabad ...	... 1	6	11	13	31	1
Betul ...	...	...	9	5	14	...
Narsinghpur ...	...	1	12	4	17	...
Chhindwara ...	...	...	2	5	7	...
Nimar ..	...	1	...	5	6	...
Raipur ...	...	...	4	...	4	...
Bilaspur ...	...	1	8	2	11	...
Total ...	7	29	128	190	354	7

While sanctions to sale are still not very numerous, actual sale after sanction continues comparatively rare, though private transfers of landed property of course go on and sometimes doubtless under pressure of debt secured by decree.

Remarks on Process Statement.

31. The statement of Process Fees shows an establishment larger by one Naib Nazir, two second class and seventeen third class peons than the establishment of 1875, but business has increased in even greater proportions, and this department of Court practice continues to be economically administered.

I have the honor to be,

Sir,

Your most obedient Servant,

S. JACOB,

Offg. Registrar.

DATED NAGPUR,

19*th February* 1877.

PRESCRIBED STATEMENTS.

22 3 77 M g 197 650

Judicial Statement B 1.

Showing the various Judicial Tribunals, Original and Appellate, existing in the Central Provinces on the last day of the year 1876.

Classes of Tribunals, distinguishing those which exercise powers in one Department from those exercising powers in two or three Departments, and those consisting of paid and unpaid Judges.		Number of Judicial Divisions.	Average area of each Division in square miles.	Average population of each Division.	Number of Tribunals.	Constitution of Tribunals, stating number of Judges in each and Jury or Assessors, if any.	Judicial powers of each Tribunal, Original or Appellate.	Total number of Judges. European: Commissioned.	Total number of Judges. European: Military Officers.	Total number of Judges. European: Uncovenanted.	Total number of Judges. Native.	Average annual salary of each Judge. European.	Average annual salary of each Judge. Native.	Total cost of Tribunals.	Net receipts from Stamps.	Executive or other functions exercised by the same Officer.	Average number of days in the year devoted to Judicial work.	Average number of advocates attached to each Tribunal.	Number of Cases decided during the year. Criminal.	Number of Cases decided during the year. Civil.	Number of Cases decided during the year. Revenue.	Number of Cases decided during the year. Appellate.
1		2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
Magistrates of the second and third classes exercising Criminal powers only.	Paid ..	1	2,042	187,699	1	A single Judge presides over each Court.	Each Judge has powers of a Magistrate of the 2nd or 3rd Class under the Code of Criminal Procedure.	...	...	1	...	500	...	...	...	The paid Judge is a Civil Surgeon exercising the powers of a Magistrate of the 2nd Class.	Sundays and general holidays.	Courts of the Central Provinces.	51	..	...	...
	Unpaid..	53	613	63,989	68	Jury or Assessors not employed.		..	...	1	67	...	...	...	...				6,991	...	...	...
Magistrates of the second and third classes exercising Criminal, Civil, and Revenue powers.	Paid ..	48	2,109	211,513	58	Do.	Each Judge has on the Criminal side powers of a Magistrate of the 2nd or 3rd Class under the Code of Criminal Procedure, and on the Civil side power to hear suits of value up to Rs. 50, 100, 300, 500, 1,000, according to his powers under the Central Provinces' Courts Act (XIV. of 1865), and has on the Revenue side the powers of a Deputy Collector under the Rent Law (Act X. of 1859, as amended by Act XIV. of 1863.)	3	...	2	53	4,500	1,590	Rs. 6,85,166.	Rs. 7,28,457.	These officers are Tahsildars (Sub-Collectors,) Assistant and Extra Assistant Commissioners, they are employed generally in administrative work of the District to which they are attached.			8,384	30,172	4,183	...

Small Cause Courts confined to proper functions.	Paid ...	2	1,195	2,56,206	3	A single Judge presides over each Court; Jury, or Assessors not employed.	One Judge has power to hear suits up to Rs. 1,000 and the other to Rs. 500 under Act XI. of 1865; the third Judge is Registrar of one of the Courts, who, under the same Act, is invested with power to hear suits.	1	1	..	1	10,800	3,009			...	256 days excluding	3 Barristers at Law, 1 Attorney at Law, and 54 Pleaders practise in the	...	9,393	...	...
Do. invested also with Criminal powers.	Paid ...	3	1,124	00,657	4	Do.	One of these Judges under Act XI. of 1865, and two under Acts XI. of 1865 and XXII of 1864, has power to hear suits up to Rs. 500 in value. Three of these Judges exercise the powers of a Magistrate. The remaining Judge is the Registrar of one of the Courts, who himself had only Civil powers to decide suits up to Rs. 20.	...	3	...	1	7,600	1,920			Three of these Judges are Cantonment Magistrates.			1,061	3,315	...	
Do. invested also with ordinary Civil or Revenue powers.	Paid....	1	10	14,536	1	Do.	This Judge has on the Criminal side the powers of a Magistrate, and on the Civil side jurisdiction in suits not exceeding Rs. 500 in value, and of a nature cognizable by Courts of Small Causes. He is also invested with the powers of a Collector under the Rent Act, except only the power to hear appeals. His jurisdiction as above is confined to Cantonment limits.	...	1	...	...	8,400	...	Rs. 6,85,503.	Rs. 7,28,457.	This officer is the Cantonment Magistrate of Saugor.			423	806	37	...
Naib Tahsildars invested with Civil powers only.	Paid ...	22	1,825	1,95,309	24	Do.	Each Judge can hear suits up to Rs. 50 in value, under Section 6, Act XIV. of 1865, "The Central Provinces' Courts Act."	...	..	..	24	...	715			These officers assist Tahsildars in the general administration of Sub-divisions of Districts (Tahsils) to which they are posted.			...	25,333	...	...
Benches of Magistrates.	Unpaid ...	1	3,786	6,31,109	6	A Bench consisting of six Magistrates; Jury or Assessors not employed.	A single Bench exercising the powers of Magistrates of the 1st Class, under the Code of Criminal Procedure.	..	...	...	6	...	...			...			184	...	...	..
Magistrates of the first Class (not Magistrates of Districts) invested with Criminal powers only.	Paid...	1	1,086	24,425	1	A single Judge presides over each Court; Jury or Assessors not employed.	The full powers of a Magistrate under the Code of Criminal Procedure.	...	1	...	...	1,800	...			The paid Judge is a Civil Surgeon exercising the Powers of a Magistrate of the 1st Class.			162	...	...	...
	Unpaid	3	3,683	4,69,033	6			...	...	..	6	...	...						1,121	...	...	..

Judicial Statement E 1—(*Continued.*)

Classes of Tribunals, distinguishing those which exercise powers in one Department from those exercising powers in two or three Departments, and those consisting of paid and unpaid Judges.		Number of Judicial Divisions.	Average area of each Division in square miles.	Average population of each Division.	Number of Tribunals.	Constitution of Tribunals, stating number of Judges in each and Jury or Assessors, if any.	Judicial powers of each Tribunal, Original or Appellate.	Total number of Judges. European. Covenanted.	Commissioned Military Officers.	Uncovenanted.	Native.	Average annual salary of each Judge. European.	Native.	Total cost of Tribunals.	Net receipts from Stamps.	Executive or other functions exercised by the same Officer.	Average number of days in the year devoted to Judicial work.	Average number of advocates attached to each Tribunal.	Number of Cases decided during the year. Criminal.	Civil.	Revenue.	Appellate.
1		2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	3
Magistrates of the 1st Class (not Magistrates of Districts), invested with Civil and Revenue powers.	Paid ...	24	4,012	4,00,020	44	A single Judge presides over each Court; Jury or Assessors not employed.	In addition to full Magisterial powers as above, each of these Judges can hear Civil Suits up to Rs. 1,000 or Rs. 5,000 in value according to his powers under Act XIV. of 1865, and has on the Revenue side the powers of a Deputy Collector under the Rent Law.	14	4	3	23	7,486	3,363	...	...	These officers are Assistant, Extra Assistant Commissioners, and Tahsildars who aid Deputy Commissioners in the general administration of the Districts to which they are posted.	...	...	8,967	17,244	1,696	3
Magistrate of the District ...	Paid ...	19	4,432	4,27,162	19	Do.	In addition to the full powers of a Magistrate, these Officers hear appeals from convictions by Magistrates of the second and third classes. 18 of them exercise the special powers of Section 36, Code of Criminal Procedure, to try all offences not punishable with death; on the Civil side they can try suits up to any value, and hear appeals from the decisions of Subordinate Civil Courts of their Districts of the four lowest grades specified in Act XIV. of 1865. On the Revenue side they have the powers of a Collector under the Rent Law.	2	15	2	...	15,953	...	Rs. 6,85,566	Rs. 7,28,457	These officers are Deputy Commissioners invested with administrative charge of Districts.	Sundays and general holidays.	Courts of the Central Provinces	2,628	344	121	3,201

Courts of Session exercising also Civil and Revenue powers.	Paid	...	4	20,609	2,010,481	4	A single Judge presides over each Tribunal. He is assisted by two Assessors when trying defended Session cases (Criminal.)	These officers preside on the Criminal side over Courts of Session, and try heinous offenders committed by Magistrates to their Courts for trial, and likewise hear appeals from the orders of Magistrates of the 1st Class. On the Civil side Commissioners have no ordinary original jurisdiction, but under Act XIV. of 1865 hear appeals in all suits in which the value is Rs. 5,000 or more; and they also hear appeals from the judgments of Collectors and Deputy Collectors in certain suits under Act X. of 1859, (the Rent Act). They have also special original jurisdiction under Act IV. of 1869, the Indian Divorce Act, and X. of 1870, the Land Acquisition Act. In the Revenue Department, they are Commissioners of Division, and hear appeals from orders of Collectors under the Rent Law.	3	1	..	...	32,250	...	...	Rs. 6,85,566	Rs. 7,28,467	Commissioners have administrative charge of Divisions consisting of several Districts.	253 days excluding	3 Barristers at-Law, 1 Attorney at Law, and 54 Pleaders practise in the	102	...	...	1,538
Court of the Judicial Commissioner.	Paid	..	1	84,963	8,201,519	1	A single Judge presides over this Court unassisted by either Jury or Assessor.	The Judicial Commissioner's Court is the Chief Appellate Court in Criminal and Civil cases. Hearing on the Criminal side appeals from the orders of Courts of Session; and on the Civil side, special appeals from decisions passed on appeal by Deputy Commissioners or Commissioners.—In Criminal cases the Judicial Commissioner has also the power of a Court of reference and revision given by the Code of Crimmal Procedure to the Sadar Court.	..	1	..	...	38,000	...				...				...	...	...	456

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ABSTRACT.*

Number of Criminal Courts.		*Number of Civil Courts.*	
Magistrates of the 2nd and 3rd Class	124	Small Cause Courts	
Magistrates of the 1st Class	69	Courts of the Naib Tahsildars	[illegible]
Benches of Magistrates	6	Courts of the Tahsildar	47
Magistrates of Districts	19	Courts of the Assistant Commissioner	[illegible]
Courts of Session	4	Courts of the Deputy Commissioner	19
Court of the Judicial Commissioner	1	Courts of the Commissioner	4
		Court of the Judicial Commissioner	1
Total .	223	Total ...	134

* Under administrative arrangements Officers exercising both Magisterial and Civil powers are sometimes employed only as Criminal, and sometimes only as Civil Judges, and sometimes as both. This abstract shows the actual number of Judges employed as Criminal as well as Civil Judges at the close of the year.

JUDICIAL STATEMENT B. 6.—(Civil.)

STATEMENT showing the number and description of Civil Suits instituted and disposed of, in the Courts of Original Civil Jurisdiction in the Central Provinces, in the year 1876.

Class of Tribunals.	Money Due.						Rent not falling under the Rent Law.	Recovery of personal property or value thereof.	Damages.				Suits for immoveable property.	Suits for specific performance of contract.	Suits to declare and establish rights to real property, including pre-emption, foreclosure, &c.	Suits to declare and establish personal rights.	Suits for an account.	Suits relating to religious endowments.	Suits to set aside judgments, contracts or obligations on the ground of fraud.	Suits for dissolution of marriage.	Suits for enforcement of matrimonial rights.	Suits for partition.	Suits relating to shipping.	Suits relating to religion and caste.	Total.
	On written obligation for sum certain.	On unwritten promise for sum certain.	On account stated.	For money paid or received.	For goods sold and delivered.	For breaches of contract not included in the above.			For injuries to person, attended with direct or actual pecuniary damage.	For injuries to property.	For defamation.	For other injuries not included in the above.													
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26
Small Cause Courts ...	6,187	2,653	280	128	2,917	78	257	318		196			...	...	...	...	..	..	..	..	..	..	..	..	13,014
Sub-Divisonal Courts...	26,667	11,322	854	610	7,231	732	324	6,703		1,392			94	9	2	..	..	..	2		..	..	..	..	55,942
District Courts ...	9,230	1,422	382	183	845	171	121	997		394			2,575	57	268	101	58		88	5	221	28	..	1	17,151
Superior Courts ..	...	..	...	...	...	...	...	...		...			...	...	...	..	..	..	..	..	...	1	..	..	1
Total ... 1876...	42,084	15,397	1,516	921	10,993	981	702	8,018		1,982			2,669	66	270	101	58	4	90	5	221	29	..	1	86,108
Total ... 1875...	40,205	12,701	1,416	841	9,674	940	639	6,664		1,789			2,427	47	323	61	28	2	73	20	156	9	..	..	78,015

JUDICIAL STATEMENT B. 7.—(Civil).

STATEMENT showing the Value of Suits disposed of in the Civil Courts of the Central Provinces, in the year 1876.

Value of Suits.	Number of Suits disposed of in different Courts.							
	Small Cause Courts.	Sub Divisional Courts.		District Courts.		Commissioner's Courts.	Total number of Suits.	Total value of Suits.
		Naib Tahsildars.	Tahsildars.	Assistant Commissioners.	Deputy Commissioners.			
1	2	3	4	5	6	7	8	9
Not exceeding Rupees 5	3,191	6,740	4,273	825	9	...	15,042	49,770
Ditto ,, ... 20	5,410	13,334	10,299	2,752	26	...	31,821	3,85,768
Ditto ,, ... 100	3,751	4,250	15,029	7,839	87	...	30,956	12,86,763
Ditto ,, ... 500	633	...	2,013	4,408	52	...	7,106	13,48,525
Ditto ,, ... 1,000	29	...	...	625	12	...	666	4,60,369
Ditto ,, ... 5,000	...	...	...	358	92	...	450	8,36,691
Ditto ,, ... 10,000	...	...	...	..	39	...	39	2,51,636
Ditto ,, ... 1,00,000	...	...	...	...	27	1	28	9,60,565
Exceeding ,, ... 1,00,000	...	...	...	...	...	...	...	...
Total ... 1876...	13,014	24,324	31,618	16,807	344	1	86,108	55,80,087
Total ... 1875	11,882	19,066	29,958	16,039	1,070	...	78,015	79,28,385

JUDICIAL STATEMENT B. 8.—(Civil).

STATEMENT showing the general result of the trial of Civil Suits, in the Courts of original jurisdiction in the Central Provinces, in the year 1876.

Class of Courts.		Suits remaining from last year.	Filed in this year.	Received by transfer.	Total for disposal.	Transferred to other Courts.	Plaints rejected or returned.	Dismissed for default.	Withdrawn with leave.	Compromised.	Decreed on confession.	Decreed *exparte*.	Dismissed *exparte*.	Contested. Judgment for plaintiff in whole or in part.	Contested. Judgment for defendant.	Total disposed of.	Pending.	Over two months.	Over four months.	Average duration of suits. Contested.	Average duration of suits. Uncontested.	Referred to arbitration.
1		2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
Small Cause Courts ...		280	13,145	...	13,425	...	143	1,919	107	1,984	4,099	1,276	30	2,647	809	13,014	391	..	1	17·6	12·2	18
Sub-Divisional tribunals ...		1,466	56,162	...	57,628	...	271	11,822	612	8,048	14,698	6,522	426	10,074	3,469	55,942	1,686	14	...	23·8	17·4	158
District Courts other than Chief Courts of districts ...		985	16,630	8	17,623	...	222	2,515	209	1,406	4,433	2,125	45	4,167	1,685	16,807	836	17	4	34·8	22·5	202
Chief Courts of districts ...		30	328	3	361	..	7	40	15	12	57	24	3	121	65	344	17	1	1	51·1	26·5	9
Superior Courts ...		1	...	...	1	...	...	...	...	...	...	..	...	1	...	1	...	...	...	...	...	1
Total ...	1876	2,762	86,265	11	89,038		643	16,296	943	11,450	23,287	9,947	504	17,010	6,028	86,108	2,930	32	6	25·8	17·5	389
	1875	2,010	78,779	1	80,790	...	489	14,267	951	10,829	21,460	9,346	358	15,246	5,069	78,015	2,775	48	13	24·3	16·3	430

JUDICIAL STATEMENT B. 9 (Civil.)

STATEMENT shewing the business of the Civil Appellate Courts of the Central Provinces, in the year 1876.

Class of Courts.	Remaining from the previous year.	Instituted during the year.	Received by transfer.	Total.	Rejected.	Dismissed for default under Sections 5 and 6, Act XXIII. of 1868.	Heard *ex parte*.			Contested.				Total disposed of.	Pending.	Over 2 months.	Objections under Section 348, Act VIII. of 1859.	Objections allowed.	Remarks.
							Confirmed.	Modified.	Reversed.	Confirmed.	Modified.	Reversed.	Remanded.						
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
Chief Appellate Courts of Districts ...	198	2,645	...	2,843	...	231	112	23	83	1,291	223	435	243	2,641	202	...	6	2	
Superior Appellate Courts other than Chief Court of Province ...	233	1,002	...	1,235	...	94	85	8	47	399	76	111	143	953	282	87	4	3	
Chief Court of Province	37	342	...	379	167	...	...	1	9	44	15	48	68	352	27	...	2	1	
Total ... 1876...	468	3,989	...	4,457	167	322	197	32	139	1,727	314	594	454	3,946	511	87	12	6	
Total ... 1875..	333	3,404	...	3,737	...	282	144	20	94	1,510	253	522	444	3,269	468	47	32	12	

JUDICIAL STATEMENT B. 10.—(Civil).

STATEMENT showing the execution of decrees in the Courts of the Central Provinces, during the year 1876.

Class of Courts.	Application to execute decrees.				Decrees completely executed.	Partially executed.	Pending at the end of the year.	Nature and number of coercive processes issued.						Remarks.
	Pending from the previous year.	Filed in the year.	Received by transfer.	Total.				Imprisonment of person.	Moveable property.		Immoveable property.		Under Section 243, C. Civ. P.	
									Attached.	Sold.	Attached.	Sold.		
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Small Cause Courts ..	469	9,419	9	9,897	1,896	2,625	564	149	2,649	489	...	...	...	* 23,509 struck off without execution being effected.
Local and Sub-divisional Courts .	2,236	25,799	535	28,570	7,476	7,045	2,474	270	8,370	3,485	5,429	2,326	10	
District Courts ..	1,931	15,277	418	17,626	4,288	4,269	1,947	249	3,946	1,807	3,597	1,558	49	‡ 20,507 ditto.
Superior Courts ...	...	...	...	...	...	..	..	...	...	...	...	...	...	
Total ... 1876 ...	4,636	50,495	962	56,093	13,600	13,939	*4,985	668	14,965	5,781	9,026	3,884	†59	† All temporary alienations.
Total ... 1875 ...	3,682	45,413	741	49,836	12,728	11,965	‡4,636	534	12,367	4,916	7,603	3,163	§149	§ ditto.

JUDICIAL STATEMENT B. 11.—(Civil).

STATEMENT showing the use of Juries and Assessors in the Civil Courts of the Central Provinces, in the year 1876.

Classes of Courts in which Juries or Assessors are employed, distinguishing Criminal from Civil Courts	Established or average number of Jury or Assessors in each case and prescribed qualifications.	Number of cases tried by Jury.	Number of cases with Assessors.	Jury trials.			Assessors' trials.		Note showing in what classes of cases Juries and Assessors have been principally employed.	Remarks.
				Verdict in favor of the prosecutor or plaintiff.	Verdict in favor of the accused or defendant.	Jury discharged without verdict.	Number of cases in which Judges agreed with Assessors.	Number of cases in which Judges differed from Assessors.		
Civil Courts.										
(Blank.)										

ADDITIONAL STATEMENTS.

No.

STATEMENT showing the number, description, and value of Original Suits,

District and Small Cause Courts.	Money Due. On written obligation.	On unwritten obligation.	On account stated.	For money paid or received.	For goods sold and delivered.	For breaches of contract not included in the above.	Rent, not falling under the Rent Law.	Moveable property or value thereof.	Damages.	Suits for immoveable property.
1	2	3	4	5	6	7	8	9	10	11
Nagpur ...	5,404	1,199	60	132	851	70	17	755	152	519
Court of Small Causes, Nagpur...	3,066	1,398	19	81	1,565	44	105	194	88	...
Small Cause Court, Kamptee ...	1,143	612	122	15	723	13	82	49	43	...
Chanda ...	1,865	512	27	37	262	60	2	337	74	27
Bhandara ...	1,656	508	8	39	259	11	8	463	108	63
Wardha ...	3,772	1,130	444	81	935	26	23	426	99	112
Bálaghat ...	803	383	39	23	56	11	9	219	56	31
Jubbulpore ...	909	334	51	56	181	63	6	86	66	289
Court of Small Causes, Jubbulpore ...	852	476	72	23	353	4	33	64	56	...
Court of Small Causes, Jubbulpore Cantonment ...	81	105	62	3	145	...	21	7	3	...
Saugor ...	1,994	527	117	43	360	27	29	429	33	138
Small Cause Court, Saugor ..	112	38	3	2	115	17	15	1	3	..
Damoh ...	745	205	17	30	90	3	1	235	40	76
Seoni ...	567	485	7	27	151	1	6	220	121	79
Mandla ...	176	213	15	12	67	4	4	59	43	21
Hoshangabad ...	3,954	1,564	100	50	575	83	49	1,671	53	301
Betul ...	1,500	793	33	41	400	34	6	258	107	124
Narsinghpur ...	3,027	664	79	43	303	22	110	295	85	259
Chhindwara ...	2,198	927	26	44	400	44	15	413	102	135
Nimar ...	4,686	1,215	121	80	1,577	33	107	261	88	145
Small Cause Court, Asirgarh ...	33	24	2	2	16	...	1	3	3	...
Raipur ...	1,336	1,215	25	23	763	65	31	821	283	197
Sambalpur ...	621	217	9	3	305	76	5	284	90	101
Bilaspur ..	642	626	56	37	518	267	16	461	182	52
Upper Godavari ...	42	27	2	2	23	3	1	7	4	...
Commissioner, Chhattisgarh Division ...	...	...	...	...	...	...	...	...	...	...
Total ... 1876 ...	42,084	15,397	1,516	921	10,993	981	702	8,018	1,982	2,669
Total ... 1875 ..	40,205	12,701	1,416	841	9,674	940	639	6,664	1,789	2,427

Exhibition of above Grand

Not exceeding Rs. 5 ...	1,848	4,817	170	205	5,805	274	212	1,541	323	337
Ditto „ 20 ...	14,809	6,771	473	326	4,186	372	299	3,679	709	722
Ditto „ 100 ...	20,570	3,120	510	284	1,352	232	155	2,707	781	943
Ditto „ 500 ...	4,272	599	267	82	142	67	31	626	147	500
Ditto „ 1,000 ...	339	59	45	11	6	18	4	45	18	82
Ditto „ 5,000 ...	227	29	45	11	2	18	1	18	4	68
Ditto „ 10,000 ...	13	1	5	...	...	...	...	1	...	10
Ditto „ 1,00,000 ...	6	1	1	2	...	...	...	1	...	7
Exceeding „ 1,00,000 ...	...	...	...	...	..	...	...	...	...	...
Total ... 1876 ...	42,084	15,397	1,516	921	10,993	981	702	8,018	1,982	2,669
Total ... 1875 ..	40,205	12,701	1,416	841	9,674	940	639	6,664	1,789	2,427

I.

disposed of in the Districts of the Central Provinces, during the year 1876.

Suits for specific performance of contract.	To declare and establish rights only: Connected with immovable property, including pre-emption, foreclosure, &c.	To declare and establish rights only: Personal (unconnected with property.)	Suits for an account.	Suits relating to religious endowments.	Suits to set aside judgments, contracts or obligations on the ground of fraud.	Suits for dissolution of marriage.	Suits for enforcement of matrimonial rights.	Suits for partition.	Suits relating to shipping.	Suits relating to religion and caste.	Total (to correspond with column 20, Statement III.)	REMA
12	13	14	15	16	17	18	19	20	21	22	23	24
8	5	18	17	1	...	4	52	...	...	1	9,255	
...	...	...	...	...	...	...	...	...	...	...	7,460	
...	...	...	...	...	...	...	...	...	...	...	2,802	
1	5	7	2	...	3	...	8	...	...	...	3,229	
2	11	15	2	1	...	...	7	...	...	...	3,161	
1	15	5	1	...	...	1	14	...	...	...	7,085	
1	1	8	1	...	1	...	...	5	...	...	1,647	
3	18	19	10	...	9	...	29	1	...	...	2,130	
											1,933	
...	...	...	...	...	...	...	...	...	...	...		
											429	
...	...	...	...	...	...	...	...	...	...	...		
14	32	3	1	...	5	...	...	1	...	...	3,753	
...	...	...	...	...	...	...	...	...	...	...	306	
1	17	1	...	...	...	...	1	...	...	...	1,462	
3	13	...	1	...	1	...	2	...	...	...	1,684	
...	1	...	2	...	...	...	6	...	...	...	623	
13	24	6	7	1	16	...	3	1	...	...	8,471	
...	4	...	...	...	5	...	13	...	...	...	3,318	
...	14	2	...	1	3	...	5	2	...	...	4,914	
2	...	1	...	...	7	...	30	...	...	...	4,344	
10	19	4	4	...	19	...	34	2	...	...	8,405	
...	...	...	...	...	...	...	...	...	...	...	84	
1	69	...	7	...	10	...	10	2	...	...	4,858	
...	13	3	...	...	5	...	3	13	...	...	1,748	
6	9	9	3	...	6	...	4	...	...	...	2,894	
...	...	...	...	...	...	...	...	1	...	...	112	
...	...	...	...	...	...	...	...	1	...	...	1	
66	270	101	58	4	90	5	221	29	...	1	86,108	
47	323	61	28	2	73	20	156	9	...	...	78,015	

Total in detail of values.

2	6	1	...	1	...	...	...	...	...	...	15,042	
4	58	1	1	...	8	...	...	3	...	...	31,821	
22	37	6	1	1	15	1	214	5	...	...	30,956	
24	137	89	46	2	51	4	6	13	...	1	7,106	
6	17	1	1	...	9	...	1	4	...	...	666	
8	9	1	3	...	4	...	...	2	...	...	450	
...	1	1	5	...	2	...	...	...	...	...	39	
...	5	1	1	...	1	...	...	2	...	...	28	
...	...	...	...	...	...	...	...	...	...	...	...	
66	270	101	58	4	90	5	221	29	...	1	86,108	
47	323	61	28	2	73	20	156	9	...	...	78,015	

No. II.

ATEMENT showing Value of Original Suits disposed of in the Districts of the Central Provinces, during the year 1876.

LUE OF SUITS.	Number of Suits disposed of in different Courts.							Total Value of Suits.	REMARKS.
	Small Cause Courts.	Naib Tahsildars' Courts.	Courts of the Tahsildar.	Courts of the Assistant Commissioner.	Courts of the Deputy Commissioner.	Court of the Commissioner.	Total number of Suits.		
1	2	3	4	5	6	7	8	9	10
								Rs.	
xceeding Rs. 5	3,191	6,740	4,277	825	9	...	15,042	49,770	
„ 20	5,410	13,334	10,299	2,752	26	...	31,821	3,85,768	
„ 100	3,751	4,250	15,029	7,839	87	...	30,956	12,86,763	
„ „ 500	633	...	2,013	4,408	52	...	7,106	13,48,525	
„ 1,000	29	...	...	625	12	...	666	4,60,369	
„ „ 5,000	...	...	...	358	92	...	450	8,36,691	
„ „ 10,000	...	...	...	...	39	...	39	2,51,036	
„ „ 1,00,000	...	...	...	...	27	1	28	9,60,565	
eeding „ 1,00,000	...	...	...	...	...	..	...	...	
Total. 1876...	13,014	24,324	31,618	16,807	344	1	86,108	55,80,687	
Total. 1875...	11,882	19,066	29,958	16,760	349	...	78,015	79,28,385	

No. III.

STATEMENT showing the general result of the trial of Original Suits in the Districts of the Ce Provinces, during the year 1876.

Districts and Small Cause Courts.	For disposal.					Disposed of							
	Remaining at close of previous year.	Reinstituted during the year.	Received by transfer from other Provinces during the year.	Instituted during the year.	Total.	Transferred to other Provinces.	Plaints rejected or returned.	Dismissed for default. Number.	Dismissed for default. Percentage of total disposed of.	Withdrawn with leave.	Compromised. Number.	Compromised. Percentage of total disposed of.	Dec Number.
1	2	3	4	5	6	7	8	9	10	11	12	13	14
Nagpur ...	453	337	...	8,815	9,605	...	90	1,778	19·2	121	1,656	17·9	2,5
Court of Small Causes, Nagpur ...	147	140	...	7,325	7,612	...	112	1,096	14·7	68	1,331	17·8	1,9
Small Cause Court, Kamptee ...	25	22	...	2,808	2,855	...	21	247	8·8	32	401	14·3	1,4
Chanda ...	139	43	...	3,132	3,314	...	28	349	10·8	51	403	12·5	1,1
Bhandara ...	102	163	...	3,027	3,292	...	20	560	17·7	65	358	11·4	9
Wardha ...	114	200	...	6,959	7,273	...	13	1,283	18·1	185	912	12·9	1,7
Balaghat ...	120	42	...	1,539	1,701	...	20	302	18·3	14	165	10·0	5
Jubbulpore ...	41	79	...	2,126	2,246	...	17	468	22·0	25	290	13·6	3
Court of Small Causes, Jubbulpore ...	101	21	...	2,016	2,138	...	9	522	27·0	3	167	8·7	3
Court of Small Causes, Jubbulpore Cantonment...	...	2	...	428	430	...	...	32	7·5	3	23	5·4	1
Saugor ...	175	120	...	3,599	3,894	...	41	603	16·1	46	589	15·7	1,2
Small Cause Court, Saugor.	7	...	...	299	306	...	1	7	2·3	1	60	19·6	1
Damoh ...	42	39	...	1,438	1,519	...	9	272	18·6	9	203	13·9	3
Seoni ...	39	32	..	1,629	1,700	...	29	319	18·9	21	225	13·4	4
Mandla ...	14	14	...	610	638	...	10	136	21·8	23	86	13·8	1
Hoshangabad ...	407	204	...	8,127	8,738	...	37	1,913	22·6	54	926	10·9	1,9
Betul ...	102	86	...	3,310	3,498	...	11	880	26·5	11	503	15·2	8
Narsinghpur ...	111	126	...	4,841	5,078	...	29	871	17·7	15	494	10·1	9
Chhindwara ...	139	131	...	4,260	4,530	...	25	942	21·7	25	707	16·3	1,0
Nimar ...	184	119	11	8,335	8,649	...	59	1,617	19·2	86	854	10·2	2,9
Small Cause Court, Asirgarh ..	...	1	...	83	84	...	...	15	17·9	...	2	2·4	
Raipur ...	115	89	...	4,744	4,948	...	22	891	18·3	52	559	11·5	8
Sambalpur ...	77	71	...	1,741	1,889	...	9	340	19·5	9	139	7·9	5
Bilaspur ...	102	24	...	2,861	2,987	...	29	846	29·2	19	386	13·3	4
Upper Godavari ...	5	2	...	106	113	...	2	7	6·2	5	11	9·8	
Commissioner, Chattisgarh Division ...	1	...	...	...	1	..	...	...	...	..	..	...	...
Total ... 1876 ...	2,762	2,107	11	84,158	89,038	...	643	16,296	18·9	943	11,450	13·3	23,2
Total ... 1875 ...	2,010	1,896	1	76,883	80,790	...	489	14,267	18·3	951	10,829	13·9	21,4

No.

Dis

ISTRICTS AND SMALL CAUSE COURTS.	Number decreed.	Exparte. Dismissed. Number.	Exparte. Dismissed. Percentage of total *exparte*.	Exparte. Total. Number.	Exparte. Total. Percentage of total disposed of.	Contested and disposed of by. Judgment for Plaintiff. In whole. Number.	Contested and disposed of by. Judgment for Plaintiff. In whole. Percentage of total contested.	Contested and disposed of by. Judgment for Plaintiff. In part. Number.	Contested and disposed of by. Judgment for Plaintiff. In part. Percentage of total contested.	Contested and disposed of by. Judgment for Defendant. Number.	Contested and disposed of by. Judgment for Defendant. Percentage of total contested.
	16	17	18	19	20	21	22	23	24	25	26
gpur	961	47	4·7	1,008	10·9	1,089	53·4	494	24·2	458	22·4
urt of Small Causes Nagpur ...	843	23	2·7	866	11·6	978	48·7	605	30·2	423	21·1
all Cause Court, Kamptee ...	108	3	2·7	111	4·0	267	45·8	206	35·3	110	18·9
anda	228	14	5·8	242	7·5	481	46·0	361	34·5	204	19·5
andara	348	38	9·8	386	12·2	272	34·3	296	37·3	226	28·4
ardha	1,017	72	6·6	1,089	15·4	817	44·6	610	33·3	406	22·1
laghat	186	14	7·0	200	12·2	139	34·8	130	32·6	130	32·6
bbulpore	175	12	6·4	187	8·8	342	42·3	208	25·8	258	31·9
urt of Small Causes, Jubbulpore	237	3	1·2	240	12·4	211	34·1	173	27·9	235	38·0
urt of Small Causes, Jubbulpore Cantonment ...	67	1	1·5	68	15·8	57	37·3	71	46·4	25	16·3
ugor	443	10	2·2	453	12·1	430	55·4	195	25·1	151	19·5
all Cause Court, Saugor ...	15	...	...	15	4·9	24	30·0	43	53·7	13	16·3
moh	140	6	4·1	146	10·0	225	51·7	110	25·3	100	23·0
oni	142	10	6·6	152	9·0	155	31·6	136	27·8	199	40·6
andla	49	6	10·9	55	8·8	56	29·3	71	37·2	64	33·5
oshangabad	1,524	27	1·7	1,551	18·3	941	46·6	490	24·3	586	29·1
tul	330	13	3·8	343	10·3	352	48·1	181	24·7	199	27·2
arsinghpur	773	25	3·1	798	16·2	766	43·5	591	33·6	404	22·9
hindwara	328	13	3·8	341	7·8	413	33·6	444	36·2	370	30·2
mar	1,216	59	4·6	1,275	15·2	628	41·1	494	32·3	406	26·6
all Cause Court, Asirgarh ...	6	...	...	6	7·1	8	53·3	4	26·7	3	20·0
ipur	468	54	10·3	522	10·8	563	28·6	810	41·2	594	30·2
mbalpur	169	9	5·1	178	10·2	226	43·4	173	33·2	122	23·4
laspur	167	45	21·2	212	7·3	272	27·7	373	38·0	336	34·3
pper Godavari	7	...	..	7	6·2	11	32·3	17	50·0	6	17·7
mmissioner, Chhattisgarh Division	...	...	...	...	...	...	...	1	100	...	...
Total ... 1876 ...	9,947	504	4·8	10,451	12·2	9,723	42·2	7,287	31·6	6,028	26·2
Total ... 1875 ...	9,346	358	3·7	9,704	12·4	8,829	43·5	6,417	31·6	5,069	24·9

III.—(*Continued.*)

posed of— Total. Number.	Percentage of total disposed of.	Total.	Pending. Total.	Over two and not over four months.	Over four months.	Average. Duration of suits in days and tenths. Contested.	Uncontested.	Number of hearings in suits disposed of.	Number of suits disposed of. Instituted in *forma pauperis*.	In which commission issued for local investigation.	In which commission issued to investigate or adjust accounts.	In which reference was made to arbitrators.	In which any matter was decided on oath of party or witness.	In which any of those costs of a successful Plaintiff which are not more than proportionate to the relief decreed, are decreed against such Plaintiff.	In which payment by instalment was decreed.	REMAR
27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43
2,041	22·1	9,255	350	5	4	36·0	21·3	1·9	9	72	63	8	101	355	202	
2,006	26·9	7,460	152	...	...	16·4	11·5	1·5	1	13	15	4	146	398	260	
583	20·8	2,802	53	...	...	15·7	8·2	1·4	...	3	9	9	56	161	357	
1,046	32·4	3,229	85	...	...	31·7	22·6	2·4	1	20	37	7	37	216	327	
794	25·1	3,161	131	2	...	20·5	15·6	2·0	...	45	30	7	44	273	243	
1,833	25·8	7,085	188	3	...	30·0	18·4	2·5	...	24	97	9	32	374	248	
399	24·2	1,647	54	1	...	29·3	19·7	2·2	...	4	5	3	44	30	151	
808	37·9	2,130	116	7	1	25·4	17·9	2·3	1	28	15	51	9	54	110	
619	32·0	1,933	205	...	1	26·3	24·3	1·2	..	...	..	5	4	30	118	
153	35·6	429	1	...	...	6·6	5·1	1·2	...	...	...	...	...	38	30	
776	20·7	3,753	141	...	...	31·1	19·6	2·1	3	12	32	87	73	446	496	
80	26·1	306	...	...	...	10·1	7·9	1·3	1	..	...	...	...	17	16	
435	29·8	1,462	57	...	..	20·5	15·6	2·3	1	30	10	29	39	267	282	
490	29·1	1,684	16	...	...	21·2	15·5	1·8	...	10	7	8	25	114	144	
191	30·7	623	15	...	...	18·5	18·7	2·0	...	2	2	14	15	14	46	
2,017	23·8	8,471	267	1	...	27·5	19·3	1·9	1	44	51	17	46	211	283	
732	22·1	3,318	180	5	...	30·5	18·9	2·1	...	14	11	8	24	135	215	
1,761	35·8	4,914	164	...	...	24·1	18·6	1·9	2	38	17	15	27	236	246	
1,227	28·2	4,344	186	...	...	24·8	18·1	2·0	...	29	25	13	78	150	338	
1,528	18·2	8,405	244	3	...	26·0	15·8	1·7	10	35	43	23	166	63	548	
15	17·9	84	...	...	...	4·3	6·1	1·	...	...	...	...	...	1	6	
1,967	40·5	4,858	90	1	...	21·8	16·4	2·4	1	52	8	52	69	58	321	
521	29·8	1,748	141	1	...	32·2	18·1	2·5	1	11	2	13	...	139	170	
981	33·9	2,894	93	3	...	25·9	22·0	1·9	4	18	3	3	62	119	226	
34	30·4	112	1	...	...	31·8	24·6	2·8	1	...	1	2	...	4	28	
1	100·	1	...	...	...	242·	...	7·	...	...	...	1	...	...	...	
23,038	26·8	86,108	2,930	32	6	25·8	17·5	1·9	37	504	483	388	1,097	3,903	5,411	
20,315	26·0	78,015	2,775	48	13	24·3	16·3	1·9	59	431	494	430	947	4,003	6,210	

No.

STATEMENT showing the execution of Decrees in the

Districts and Small Cause Courts.	Applications to execute decrees.					Struck off, execution for the time being ended and no coercive processes remaining in force.				
	Pending from last year.	Filed.		Received by transfer.	Total.	Decrees completely executed.	Decrees partially executed.	Without execution.	Total.	Decrees executed by possession being given of specific property decreed.
		Verbally.	In writing.							
1	2	3	4	5	6	7	8	9	10	11
Nagpur ...	578	26	4,827	425	5,856	1,504	1,175	2,753	5,432	133
Court of Small Causes, Nagpur ...	200	62	4,421	...	4,683	1,021	789	2,703	4,513	...
Small Cause Court, Kamptee ..	220	24	3,589	2	3,835	529	1,441	1,582	3,552	...
Chanda ...	211	27	1,638	21	1,897	585	626	494	1,705	4
Bhandara ...	321	18	1,675	58	2,072	638	454	593	1,685	27
Wardha ...	270	36	3,687	139	4,132	915	745	2,083	3,743	32
Balaghat ..	173	8	931	33	1,145	318	274	441	1,033	8
Jubbulpore ...	209	14	1,396	83	1,702	496	396	641	1,533	81
Court of Small Causes, Jubbulpore..	40	23	923	6	994	219	263	409	891	...
Court of Small Causes, Jubbulpore Cantonment ...	8	11	225	...	244	74	87	78	239	...
Saugor ...	230	3	2,369	37	2,639	531	704	1,165	2,400	64
Small Cause Court, Saugor ...	1	6	107	...	114	31	42	38	111	...
Damoh ...	108	11	852	14	985	200	237	451	888	38
Seoni ...	100	2	898	...	1,000	313	289	358	960	1
Mandla ...	15	2	207	15	239	69	75	84	228	6
Hoshangabad ...	501	15	5,162	5	5,683	1,450	1,465	2,574	5,189	92
Betul ..	256	13	2,026	14	2,309	467	594	962	2,023	40
Narsinghpur ...	368	37	4,401	40	4,846	1,000	1,634	1,773	4,407	86
Chhindwara ...	179	5	2,298	13	2,495	592	908	752	2,252	1
Nimar ...	334	8	5,015	39	5,396	1,736	860	2,259	4,855	30
Small Cause Court, Asirgarh ...	...	...	26	1	27	22	3	2	27	...
Raipur ...	129	19	1,841	11	2,000	606	453	769	1,828	53
Sambalpur ...	70	...	731	...	801	290	190	232	712	25
Bilaspur ...	108	5	832	6	951	327	220	311	858	1
Upper Godavari ...	7	1	40	...	48	27	15	2	44	...
Total ... 1876 ..	4,636	376	50,119	962	56,093	13,660	13,939	23,509	51,108	722
Total ... 1875...	3,682	431	44,982	741	49,836	12,728	11,965	20,507	45.200	648

IV.

Districts of the Central Provinces, during the year 1876.

Pending.			Claims to attached property decided.		Nature and number of coercive processes issued.						Remarks.
						Moveable property.		Immoveable Property.			
Total.	Over two and not over four months.	Over four months.	For claimant in whole or part.	Against claimant.	Persons actually committed to prison.	Number of warrants in execution of which attachment was effected.	Number of orders for sale executed.	Number of warrants in execution of which attachment was effected.	Number of orders for sale executed and confirmed.	Temporary alienations authorised under Section 244, Act VIII. of 1859.	
12	13	14	15	16	17	18	19	20	21	22	23
421	6	8	290	242	39	1,090	533	1,718	779	...	
170	11	1	111	134	65	1,384	315	...	...	...	
283	...	...	26	18	20	1,076	97	...	...	..	
192	16	6	134	56	14	850	429	380	200	4	
387	10	18	98	84	...	902	403	423	181	2	
389	17	39	174	171	93	1,236	531	724	372	1	
112	...	10	48	31	2	400	154	124	47	...	
169	27	30	48	77	14	250	102	294	160	20	
103	...	...	7	6	37	131	51	..	...	...	
5	...	...	4	1	14	46	22	..	...	...	
239	34	16	90	197	35	515	187	761	317	1	
3	...	...	1	...	13	7	4	..	...	...	
97	9	38	30	27	15	133	61	180	69	...	
40	4	1	31	39	34	227	133	149	83	...	
11	...	...	7	10	7	58	21	39	11	...	
494	17	74	200	230	40	1,650	503	1,315	379	...	
286	...	13	77	105	36	629	300	570	232	16	
439	...	43	84	148	39	1,279	527	715	347	15	
243	16	11	63	164	3	1,035	527	648	297	...	
541	39	25	240	160	73	900	369	676	283	...	
...	...	...	...	...	...	5	..	..	...	...	
172	...	3	37	42	39	500	218	124	52	..	
89	...	...	30	8	10	311	111	101	31	...	
93	7	7	28	14	26	314	171	85	44	...	
4	...	...	6	2	...	37	12	...	..	...	
4,985	213	343	1,864	1,969	668	14,965	5,781	9,026	3,884	59	
4,636	309	354	1,694	1,789	534	12,367	4,916	7,603	3,163	149	

No. V.

STATEMENT showing the Appellate business of the Courts of the Central Provinces, for the year 1876.

In the Court of		For disposal.				Disposed of.											Pending.		Number of cases in which objections under Sections 348, Act VIII of 1859 were		Average duration of each appeal tried.
								Heard *ex parte*.				Contested.									
										Reverd.				Reversed.							
		Remaining at close of the previous year.	Received by transfer from other Provinces.	Instituted or re-admitted.	Total.	Rejected.	Dismissed for default, or under Sections 5 and 6, Act XXIII, of 1861	Confirmed.	Modified.	Without remand under S. 351, C. Civ. P.	And remanded under S 351, C. Civ. P.	Confirmed.	Modified.	Without remand under S 351, C. Civ. P.	And remanded under S. 351, C. Civ. P.	Total.	Total.	Over 4 months.	Preferred.	Allowed because successfully maintained.	
1		2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21
Judicial Commissioner.	Regular Appeals ...	...	...	1	1	..	...	...	...	...	...	1	...	...	..	1	...	...	...	...	103·0
	Special Appeals. From decrees ordinary ..	28	...	303	331	154	...	...	1	2	7	39	14	42	50	309	22	...	2	1	24·3
	Special Appeals. „ Rent Law ...	6	...	29	35	6	...	...	...	...	...	4	..	3	18	31	4	...	...	...	25·2
	Special Appeals. From orders ...	3	...	9	12	7	...	..	...	...	...	...	1	3	..	11	1	..	...	...	13 7
Commissioners. Nagpur ...	From decrees ordinary ...	103	...	147	250	...	20	14	5	6	2	77	23	29	22	198	52	12	1	...	122·3
	„ Rent Law ...	23	...	97	120	...	13	1	...	4	...	23	12	15	7	75	45	17	...	...	89·9
	From orders ...	...	...	20	20	...	3	...	...	2	...	3	...	10	...	18	2	1	...	...	58 5
Commissioners. Jubbulpore ...	From decrees ordinary ...	25	...	179	204	...	8	9	...	1	5	78	16	20	28	165	39	1	...	1	51·4
	„ Rent Law ...	6	...	65	71	...	8	2	...	1	...	26	3	6	8	54	17	2	...	...	45·6
	From orders ..	13	..	49	62	...	2	30	...	4	1	11	...	2	2	52	10	5	...	...	59·2
Commissioners. Nerbudda ...	From decrees ordinary ..	25	...	158	183	...	15	2	...	...	...	64	9	4	38	132	51	39	3	2	68·
	„ Rent Law ...	25	...	68	93	...	13	...	...	..	...	33	2	2	18	68	25	7	...	...	88 4
	From orders ...	4	...	29	33	...	6	...	...	...	...	15	..	1	6	28	5	3	..	...	52·8
Commissioners. Chhattisgarh ...	From decrees ordinary ...	5	..	123	128	...	...	4	3	2	13	52	9	15	10	108	20	...	...	...	51·7
	„ Rent Law ...	1	...	41	42	...	3	1	...	1	...	10	2	7	4	28	14	...	...	...	43·7
	From orders ...	3	...	26	29	...	...	22	...	5	...	...	...	...	...	27	2	...	...	...	8·3
Total in Courts of Commissioners ...	From decrees ordinary ...	158	...	607	765	...	43	29	8	9	20	271	57	68	98	603	162	52	4	3	78·3
	„ Rent Law ...	55	...	271	326	...	37	4	...	6	...	92	19	30	37	225	101	26	...	...	73 2
	From orders ...	20	...	124	144	...	11	52	...	11	1	29	...	13	8	125	19	9	...	...	46·6

Deputy Commissioners.	Nagpur	From decrees	..	7	..	285	292	...	23	5	5	6	...	103	30	44	54	270	22	...	...	...	27·4
		From orders	..	..	.	19	19	...	4	2	...	1	..	6	...	3	3	19	...	.	...	...	21·4
	Chanda	From decrees	..	2	..	70	72	...	8	3	2	3	2	29	7	11	4	69	3	..	...	...	20·5
		From orders	..	1	..	4	5	...	...	...	..	3	..	1	..	1	..	5	...	...	...	...	21·8
	Bhandara	From decrees	..	13	..	103	116	..	4	6	1	5	1	44	13	19	19	112	4	...	...	...	14·0
		From orders	..		..	13	13	...	1	1	.	3	..	4	..	3	1	13	.	...	..	..	11·8
	Wardha	From decrees	..	18	..	226	244	...	12	11	5	15	..	99	29	56	5	232	12	...	5	1	30·1
		From orders	..	3	..	20	23	...	8	...	.	5	..	3	..	2	2	20	3	...	...	...	19·1
	Balaghat	From decrees	..	3	..	43	46	...	3	7	..	..	4	12	6	8	4	44	2	...	...	...	30·4
		From orders	..	..	..	8	8	...	4	2	..	..	1	...	...	1	..	8	..	...	...	...	20·6
	Jubbulpore	From decrees	.	12	..	112	124	...	12	3	..	...	..	72	4	23	6	120	4	..	1	1	24·0
		From orders	..	3	..	4	7	...	2	1	..	..	...	3	..	1	..	7	..	...	...	...	28·2
	Saugor	From decrees	..	6	..	145	151	...	20	8	3	5	..	77	12	18	1	132	9	.	...	...	19·2
		From orders	..	..	..	18	18	...	...	5	..	1	1	6	.	1	3	17	1	..	...	..	15·4
	Damoh	From decrees	..	1	..	25	26	...	1	5	..	..	..	12	..	3	2	23	3	...	...	..	23·4
		From orders	..	..		...	...	...	...	..	..	..	..	...		...	...	..	...	..	...	...	...
	Seoni	From decrees	..	2		101	103	...	4	1	..	..	..	61	11	16	7	100	3	...	...	...	14·8
		From orders	..	..	..	8	8	...	...	2	..	..	..	5	..	1	..	8	...	...	...	...	14·3
	Mandla	From decrees	...	...	..	15	15	...	...	4	..	..	.	5	..	3	2	14	1	..	...	..	13·5
		From orders	..	..	..	...	...	..	...	.	..	..	..	..	.	..	...	...	..	...	...	...	...
	Hoshangabad	From decrees	..	48	.	339	387	...	31	8	2	4	4	175	27	39	21	331	56	...	...	..	35·6
		From orders	..	..	.	28	28	...	8	..	..	1	..	9	..	5	.	23	5	.	..	...	33·3
	Betul	From decrees	..	3	..	110	113	...	9	7	1	3	..	53	10	15	10	108	5	...	...	...	13·9
		From orders	..	..	..	5	5	...	...	.	...	...	..	1	..	...	4	5		...	...	...	8·0
	Narsinghpur	From decrees	..	45	..	261	306	...	13	11	1	...	...	149	27	37	40	278	28	...	...	...	38·9
		From orders	.	5	...	55	60	...	5	. .	..	..	..	40	1	6	3	55	5	...	...	...	33·8
	Chhindwara	From decrees	..	8		125	133	...	12	9	1	5	6	56	4	15	7	115	18	..	...	...	18·1
		From orders	..	1	..	3	4	...	...	..	..	1	..	2	.	1	..	4	..	..	...	...	20·0
	Nimar	From decrees	..	7	.	160	167	...	14	...	..	..	..	100	17	18	13	162	5	..	...	...	18·0
		From orders	..	..	..	9	9	..	...	...	...	..	...	3	..	4	..	7	2	...	...	...	9·2
	Raipur	From decrees	..	2	..	171	173	...	13	...	...	..	..	84	11	39	21	168	5	...	...	..	12·5
		From orders	..	..	.	8	8	...	1	...	...	...	..	6	1	..	..	8	...	..	...	...	9·5
	Sambulpur	From decrees	..	1	..	83	84	...	10	7	1	..	...	40	4	11	7	80	4	...	. .	...	28·1
		From orders	..	..	..	...	...	...	...	..	...	.	..	...	..	..	..	...	..	..	...	...	...
	Bilaspur	From decrees	..	7	..	66	73	...	9	3	1	3	..	32	9	11	3	71	2	...	...	...	26·2
		From orders	..	...	..	2	2	...	...	..	...	...	...	1	..	...	1	2	...	...	...	...	10·5
	Upper Godavari	From decrees	...	..	..	1	1	...	..	1	...	..	...	...	...	...	..	1	..	...	...	...	13·0
		From orders	..	...	..	...	...	...	...	...	..	...	..	...	..	..	...	...	..	..	...	...	...
Total in Courts of Deputy Commissioners		From decrees	...	185	..	2,441	2,626	...	198	99	23	49	17	1,201	221	406	226	2,440	186	..	6	2	25·6
		From orders	..	13	.	204	217	...	33	13	.	15	2	90	2	29	17	201	16	.	..	...	23·3
Total in all Courts		From decrees ordinary	...	371	..	3,352	3,723	154	241	128	32	60	44	1,512	202	516	374	3,353	370	52	12	6	35·0
		From Rent Law	...	61	..	300	361	6	37	4	...	6	...	96	19	33	55	256	105	26	...	...	67·2
		From orders	...	36	..	337	373	7	44	65	...	26	3	119	3	45	25	337	36	9	...	...	31·7
		Grand Total	...	468	..	3,989	4,457	167	322	197	32	92	47	1,727	314	594	454	3,946	511	87	12	6	32·2

No.

STATEMENT of Process Fees

COURTS.		(1) Fees levied. In separate detail for each Court. On processes directed to be served by European bailiff (Special Rule I). At Rs 2 rate		At Re. 1 rate.		On other processes issued. At Re. 1 rate.		At As. 8 rate.		At As. 4 rate.		For assisting in distraint (Special Rule III).	Additional fees Under Special Rule IV.		Under Special Rule V.		Grand total of fees levied (Columns 2 to 9).	
1		2		3		4		5		6		7	8		9		10	
		Rs.		Rs		Rs.		Rs.	a	Rs.	a.	Rs.	Rs.	a	Rs	a.	Rs.	a.
Nagpur ...	Civil	208		240		6,023		4,464	8	14,460	4	...	17	12	42	12	25,456	4
	Revenue ...	...		...		112		163	0	608	12	...	...	..	1	0	879	12
Chanda ...	Civil ...	...		...		1,073		1,171	0	2,097	12	...	3	0	6	12	4,351	8
	Revenue ...	...		...		18		24	0	73	12	...	0	12	...	.	116	8
Bhandara ...	Civil ...	...		...		559		1,398	0	2,419	4	...	...	...	...	...	4,406	4
	Revenue ...	...		...		32		88	8	142	0	...	...	...	...	...	262	8
Wardha ...	Civil ...	...		...		2,291		2,388	0	5,669	4	...	7	4	...	...	10,305	8
	Revenue ...	...		...		44		39	0	357	4	...	...	...	...	...	440	4
Balaghat ...	Civil ...	...		...		153		731	8	1,100	4	...	...	...	...	..	1,984	12
	Revenue ...	...		...		15		58	8	116	8	...	...	...	...	...	190	0
Jubbulpore ...	Civil ...	48		66		1,605		867	8	4,522	4	...	170	12	...	..	7,279	8
	Revenue ...	...		...		128		94	8	681	8	...	4	0	0	8	908	8
Saugor ...	Civil ...	...		...		1,664		1,600	8	3,739	0	...	6	12	3	0	7,013	4
	Revenue ...	...		...		154		158	0	373	8	...	...	...	1	12	687	4
Damoh ...	Civil ...	..		...		514		498	8	1,378	8	...	16	8	4	4	2,411	12
	Revenue ...	...		...		39		79	8	183	4	...	2	0	...	.	303	12
Seoni ...	Civil ...	...		...		422		517	8	1,231	4	...	...	...	...	..	2,170	12
	Revenue ...	...		...		32		41	0	113	0	...	...	.	...	...	186	0
Mandla ...	Civil ...	...		...		67		115	8	443	12	...	...	..	0	4	626	8
	Revenue ...	...		...		13		6	0	42	8	...	...	...	...	.	61	8
Hoshangabad ...	Civil ...	...		...		3,485		3,146	0	6,386	4	...	205	0	16	0	13,238	4
	Revenue ...	...		...		105		113	0	430	12	...	4	0	...	.	652	12
Betul ...	Civil ...	...		...		1,354		1,147	0	2,589	0	...	25	0	...	..	5,115	0
	Revenue ...	...		..		74		55	0	192	8	...	..	.	...	.	321	8
Narsinghpur ...	Civil ...	...		...		2,631		2,747	8	4,370	0	...	16	12	46	8	9,955	12
	Revenue ...	...		...		375		293	0	526	8	...	2	8	...	.	1,197	0
Chhindwara ...	Civil ...	...		...		811		1,861	0	3,199	8	...	108	4	1	12	5,981	8
	Revenue ...	...		...		49		46	0	160	12	...	...	..	...	...	255	12
Nimar ...	Civil ...	...		...		2,507		2,132	8	5,084	12	...	35	0	...	...	9,709	4
	Revenue ...	...		...		29		38	0	71	8	...	...	...	...	..	138	8
Raipur ..	Civil ...	...		...		988		874	0	2,575	0	...	...	..	..		4,437	0
	Revenue ...	...		...		67		90	0	255	8	...	...	...	...	...	412	8
Sambalpur ...	Civil ...	...		...		356		401	0	1,218	8		...	.	...	.	1,975	8
	Revenue ...	...		...		26		36	0	212	8	...	...	..	...	..	274	8
Bilaspur ...	Civil ...	...		...		890		310	0	1,710	8	...	27	8	...	...	2,938	0
	Revenue ...	...		...		85		17	8	209	12	...	3	4	...	.	315	8
Upper Godavari..	Civil ...	...		...		13		23	0	46	4	...	...	..	...	...	82	4
	Revenue ...	...		...		...		...	...	...	...	...	...		...	...	...	...
Total ...	Civil ...	256		306		27,466		26,344	8	64,221	4	...	783	8	121	4	1,19,438	8
	Revenue ...	...		...		1,397		1,440	8	4,746	12	...	16	8	3	4	7,604	0
Grand Total ...		256		306		28,863		27,785	0	68,968	0	...	800	0	124	8	1,27,042	8

VI.

for the year 1876.

(2) Charges.													
In separate detail for each Court or set of Courts having a joint establishment.										Collectively for the District			Remarks, as (1) Number of processes re-issued without charge (Special Rule VI).
Naib Nazirs		Peons.								Contingencies.			
Class and period for which employed	Total salary.	Salary of European bailiff.	1st Class at Rs. 10. Number on last day.	1st Class at Rs. 10. Total salary.	2nd Class at Rs. 8. Number on last day.	2nd Class at Rs. 8. Total salary	3rd Class at Rs. 6. Number on last day.	3rd Class at Rs. 6. Total salary.	Heads of charge, *e. g.*, process forms, registers, other stationery, official postage, servers' badges, furniture, &c.	Charge under each head.	Grand total of all charges (Columns 12, 13, 15, 17, 19, and 21).	
11	12	13	14	15	16	17	18	19	20	21	22	23
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.		Rs.	Rs.	Rs.
7	1,788	720	15	1,544	10	933	106	7,070	Binding, postage and badges ...	420	12,470	744
2	213	...	1	94	4	372	18	1,527	Official postage ...	82	2,238	96
2	360	...	3	317	3	273	15	1,882	Stationery, postage and carriage of forms.	161	2,993	128
4	564	...	3	271	4	345	36	2,120	Official postage, binding and stationery.	59	3,359	50
1	180	...	1	120	1	80	14	938	Official postage ...	10	1,325	30
2	411	720	3	672	4	338	18	2,385	Binding and official postage ...	111	4,58[illegible]	...
3	658	..	3	349	3	288	36	2,948	Binding, printing and official postage.	267	4,510	50
2	420		2	195	1	131	7	970	Official postage ...	19	1,735	23
1	180	...	1	146	1	88	8	1,063	...	...	1,477	21
	...	...	1	108	...	...	4	574	Binding and postage ..	10	692	5
4	780		9	1,076	2	192	39	4,236	Stationery and binding ..	349	6,633	86
2	420		4	464	2	174	30	2,022	Stationery, binding and postage .	75	3,15[illegible]	4
3	617	...	4	475	5	546	23	2,932	Binding and official postage ..	57	4,627	107
2	420	..	4	435	2	215	16	2,045	Binding and postage ...	16	3,131	256
2	426	...	6	695	1	96	28	1,970	Official postage, stationery, &c .	190	3,377	79
1	240	..	2	238	1	86	32	2,298	Binding, postage and badges ...	35	2,897	3
	..	...	1	120	1	96	6	804	...	...	1,020	...
2	338	.	2	227	2	191	2	1,800	...	...	2,056	138
..	...	..	..	..	..	...	1	83	...	...	83	...
40	8,010	1,440	65	7,546	47	4,444	439	39,117		1,811	62,368	1,820

No. $\frac{1123}{57}$

FROM

LINDSAY NEILL, ESQUIRE,

OFFG. SECRETARY TO THE CHIEF COMMISSIONER,

Central Provinces.

To

THE REGISTRAR,

JUDICIAL COMMISSIONER'S COURT,

Central Provinces.

Dated Nagpur, the 26th March 1878.

SIR,

Received in print 5th March.

I am directed to acknowledge your letter of the 16th February, being the report on the working of the Courts of Civil Judicature during the year 1877. The report is an interesting one: it is also fuller and larger than that received last year; and as the Judicial Commissioner has remarked on all the points of importance, especially those in which the lower Courts seemed to need direction, and the Chief Commissioner concurs in the tenor of the remarks made, the Chief Commissioner's own observations need not be very lengthy.

Number of Courts.

* *Vide* paragraph 2 of your report for 1876, not apparently 135

2. There has been an increase in the Courts open to the public. The number at the close of 1876 was 134*, that at the close of 1877, 141. One Assistant Commissioner's Court was opened, one Tahsili Court closed, and seven additional Naib Tahsildars' Courts were opened. The increasing number of Naib Tahsildars' Courts has long been foreseen, and the Government of India, in reviewing the report on the administration of Civil Justice during 1876, remarked that "the policy of this measure, viz. "the establishment of Courts of the lowest grade competent to try the suits "instituted, is a sound one, and it is expected that this policy will gradually "develop, for, as observed in paragraph 2 of your review, it coincides with the "tendency of the lowest classes of suits to increase in number."

While in 1874 Judicial Naib Tahsildars disposed of only some 17 per cent of the total litigation of the Province, they, in the year under review, disposed of close upon one-third of the work; and you observe that the relief thus granted to the higher officers of the Administration appears to have been accompanied by no falling off in the efficiency of the Courts. That Naib Tahsildars can and ought to dispose of many suits, is a view which has long been held by the Chief Commissioner; and from the reports of District and Divisional officers, the Chief Commissioner finds that it is a view also entertained by them. You have quoted the remarks of the Deputy Commissioner of Saugor, who at first seems to have held a different opinion, but who now writes of Naib Tahsildars in his district that, "as far as ability is concerned, they are quite able to decide "satisfactorily the vast majority of cases which come before them." The Commissioner of Jubbulpore believes that "Naib Tahsildars can generally be found "who are competent to deal with petty cases." The Commissioner of Nagpur goes even further, and points out that their rate of pay, the lowness of which was by some urged as a reason why they should not exercise Civil powers, is not inadequate, and, as the Judicial Commissioner observes, they have prospects of promotion before them. Further, an examination of present results has convinced the Judicial Commissioner that there need be no fear of ill results from opening fresh Naib Tahsildars' Courts where new tribunals are really wanted.

It would indeed be strange if Naib Tahsildars could not be found to dispose of the bulk of litigation, when it is borne in mind that over 70 per cent of all suits is disposed of without contest, and that the money value of over 54 per cent is Rs. 20 and less.

Need of additional Courts.

3. Respecting the need of additional Naib Tahsili Courts it would be premature to judge without a longer experience of the Code of Civil Procedure (Act X of 1877), which has extended the jurisdiction of Courts of Small Causes and so may diminish the work of Tahsili Courts. Some may, perhaps, be needed in certain parts of the Nagpur Division, and one in the Chhindwara district; and the Chief Commissioner will be ready to consider any proposals which may be submitted. At the same time, it seems to him that where, owing to the existence of Courts of Naib Tahsildars much relief is afforded to Assistant and Extra-Assistant Commissioners, some reduction in their number may be found possible.

Share which Deputy Commissioners take in judicial work.

4. That some relief is required by Deputy Commissioners who in four or five districts are over-burdened with judicial work to the detriment of their executive duties, is generally admitted. Pending a decision on a larger measure of relief which is under consideration, the Judicial Commissioner might consider as to whether in Wardha, Hoshangabad and, perhaps, Narsinghpur, some Senior Assistant Commissioner might not (as in Nagpur) exercise the powers of a Deputy Commissioner under Section 16 of the Central Provinces Courts' Act, and the Chief Commissioner will be glad to be favoured with an early report on this point.

The Chief Commissioner can, however, not accept the opinion of the Deputy Commissioner, Nagpur, that the Senior Assistant Commissioner should have "undivided control of the Civil Judicial administration" of the district. One very obvious reason why he should not have such control is, because he cannot control the movements of other Assistant Commissioners, Extra-Assistant Commissioners or Tahsildars, who have executive as well as civil work to do and are at times away from head-quarters for considerable periods. The regulating of this absence from head-quarters would naturally rest with the Deputy Commissioner, and it is he who must arrange for the transfer of the cases on their files to some other officers. Again the Assistant Commissioner would generally always be at head-quarters. He ordinarily has little leisure to go on tour, and probably little or no executive work to take him out, and would therefore have few opportunities of supervising subordinate Courts and ascertaining the opinion of the public regarding their working.

Local Bar.

5. The local Bar has received an accession of 10 members. It now consists of 3 Barristers-at-Law, 2 Attorneys and 64 Pleaders. Of the 10 new Pleaders, 4 have betaken themselves to Jubbulpore, 3 to Hoshangabad, and 3 to Raipur. It is satisfactory to learn that there is a rise in the qualifications of the members of the Bar, for as yet the District authorities seem to hold them in low esteem.

Amount of litigation.

6. The number of suits instituted and reinstituted in 1876 was 86,265, and in 1877, 88,486. There has thus been an increase of some 2,219 cases. The Judicial Commissioner thinks that the progressive condition of the country must always be borne in mind in searching for the causes of annual fluctuations, and you quote in paragraph 15, with approval, the remarks of the Commissioner, Nagpur, that "the increase "of population, the accumulation of capital, the development of trade, will "all contribute to the result. Special influences may occasionally be discovered, "but they then act merely so as to hasten or retard what may be called the "natural growth." There is much truth in these remarks, and an illustration

of their correctness is afforded by the statement given in page 6, showing the number of suits instituted and reinstituted in the Civil Courts of the Central Provinces from 1862 to 1877. For 9 successive years, from 1862, there was a marked yearly increase in the number of suits. In 1872 there was a falling off of some 4,000 suits, but since then suits have again steadily increased, and the number in the present year is larger than in any previous one.

An examination of the district returns exhibits some curious results. Thus the Nagpur district contributed nearly one-fourth of the total of suits, while the remaining districts of that division gave a greater total than the whole 5 districts of the Jubbulpore division. This is strange, when it is remembered that there are many thriving towns in Jubbulpore and Saugor, and would seem to indicate the existence of some cause producing greater litigation in the south than in the north of the Province. Perhaps some explanation of the matter may be found in the greater class of educated men spread from Nagpur over the older southern districts who gain a livelihood in various ways about the Courts of law as Mooktears, Kamdars, Gumashtas, &c. The districts which in point of litigation rank next to Nagpur, are Hoshangabad, Nimar, Wardha, Raipur, Jubbulpore and Narsinghpur. These had suits ranging in number from 8,344 in Hoshangabad to 5,746 in Narsinghpur.

Fluctuations in Civil work.

7. In paragraph 16 you comment at considerable length on the fluctuations in the business of the several Courts, and point out where the explanations afforded by district officers seem worthy of acceptance, or wherein they fail. These remarks have the Chief Commissioner's general concurrence, and he thinks that the Judicial Commissioner is right in laying down that Judicial Officers should examine such fluctuations with the object of discovering how far they are brought about by the acts of the judicial machinery. The working of our Courts should be smooth and uniform, and it is an unhealthy sign when the presence of any one particular Judge and his mode of procedure are set forth as reasons for either a decrease or increase in the suits brought, or as accounting for suits being disposed of in some particular way.

Value of suits

8. When classified according to their value, it is seen that of 88,638 disposed of, 17·2 per cent did not exceed Rs. 5 in value, 37·3 per cent were valued for sums between Rs. 5 and 20, 35·8 per cent for sums between Rs. 20 and 100, 8·3 per cent for sums between Rs. 100 and 500, and only 1·4 per cent for sums in excess of Rs. 500. The character of the litigation has been almost the same in the year under review as it was in 1876. While Narsinghpur and Saugor show the smallest amount of petty litigation, the districts of Raipur, Bilaspur, Sambalpur, Nimar and the Upper Godavari show the largest, all of these latter having over 20 per cent of suits not exceeding Rs. 5 in value.

Description of suits.

The bulk of the suits brought were for money due on bond or other contract, such suits forming 80·1 per cent of the whole; while 11·2 per cent were for the recovery of moveable property or its value. Of the suits for money, 46 per cent were on written obligation, and 18·2 per cent on unwritten obligation. Suits on unwritten obligation exhibit a growing tendency to increase, and are said to be specially numerous in the Courts of Naib Tahsildars. They are also credited, and probably correctly, with being more often contested than suits on written instruments. The Chief Commissioner observes that, generally speaking, suits on written obligation are more frequent in the districts of the Nagpur division than elsewhere. This fact seems to bear out his remark in paragraph 6 regarding a greater number of educated men hanging about the Courts in the Nagpur division.

Distribution of business.

9. The suits before the Courts were disposed of in the following proportions by the various classes of Judges :—

By Judges of Small Cause Courts	...	15·4
,, Naib Tahsildars	...	32·4
,, Tahsildars	...	35·2
,, Assistant Commissioners	...	16·5
,, Deputy Commissioners	...	·5

The number of suits decided by Judges of Small Cause Courts has not much varied within the last four years. The increased work done by Naib Tahsildars has already been the subject of remarks, and it is only necessary to complete these here by observing that of the 28,727 cases disposed of by them during the year—

7,512	were	for	sums not exceeding	Rs.	5
15,441	,,	,,	,,	,,	20; and
5,774	,,	,,	,,	,,	50

Of course if the number of Naib Tahsildars is increased, the number of suits disposed of by them will correspondingly increase.

Results of trial.

10. The general results of trials were:

In ·8	per cent	the plaints	were	rejected or returned.
24·9	,,	,,	were	decreed on confession.
19·4	,,	,,	,,	dismissed for default.
13·1	,,	,,	,,	compromised.
11·2	,,	,,	,,	decreed *ex parte*.
1·	,,	,,	,,	withdrawn with leave.
·6	,,	,,	,,	dismissed *ex parte*.
29·	,,	,,	,,	decided after contest.

These figures contrasted with those for 1876 show a falling off in cases decreed on confession, a corresponding increase in contested cases, and especially in those in which judgment was in whole given for the defendant.

Dismissals for default are specially numerous in the Jubbulpore district and City Small Cause Courts, and in the districts of Chhindwara and Sambalpur. The Judicial Commissioner does right to caution Judges against negligent and harsh procedure, such as was found to exist in the Sambalpur district, where the Tahsildar after tiring out the patience of suitors by vexatious postponements at last dismissed the suits in default.

As regards confessions, the noteworthy point is their very high percentage in all the Cantonment Small Cause Courts. In Kamptee, Jubbulpore, Saugor and Asirgarh, the percentages were 45·6, 37·5, 48· and 51·1. The Saugor district also has a high percentage of such cases, 34·4.

Regarding the other ways in which suits were disposed of, the Chief Commissioner does not think it necessary to add to what the Judicial Commissioner has said on the subject. The duration of suits has not been unduly long, and the danger of vainly sacrificing the convenience of parties and other considerations to a desire to exhibit short averages has been pointed out. Such undue haste defeats its own object and only causes postponements of suits, inconvenience to suitors, and in the end a long duration with a large number of hearings. The remarks of the Commissioner of Nagpur, which the Judicial Commissioner quotes with approval, are entirely concurred in by the Chief Commissioner.

11. Appeals to Deputy Commissioners from decrees were 3,093 and from orders 163, an increase on the year 1876 of 611 appeals.

Appellate work.

In Hoshangabad the largest number of appeals was disposed of, 402; and next in numbers comes Narsinghpur with 380 appeals, Wardha with 345, and Nagpur with 338. These are the districts in which appellate work is heavy. In the Courts of Deputy Commissioners, in 60 per cent of the appeals the decree of the lower Court was upheld, in 17 per cent the decree was reversed, and in 8 per cent it was modified; in 9 per cent the case was remanded for trial, and in 6 per cent the cases were struck off for default. The percentage of appeals confirmed has risen in the Nagpur district, but it still remains somewhat below the provincial average.

The appeals to Commissioners—

From decrees of Civil Courts, were	...	562
Under the Rent Act	...	373
From orders	...	83

and the number decided was—

By the Commissioner, Nagpur	...	315
" " " Jubbulpore	...	297
" " " Nerbudda	...	277
" " " Chhattisgarh	...	149

The percentage of decrees appealed affirmed by the Commissioners was 56. It was highest in the Court of the Commissioner, Jubbulpore, 61; and lowest in that of the Commissioner, Nerbudda, 49. The Commissioner, Nagpur, modified a considerable number of decrees, but on the other hand he sent back very few for retrial.

In the Judicial Commissioner's Court, 386 were disposed of as follows:—187 applications for special appeal were rejected, or in other words the action of the lower Court was upheld, 93 cases were remanded for re-trial, in 7 cases decrees were modified, in 40 they were reversed, and in 58 they were confirmed. Altogether the percentage of confirmation in the several classes of Appellate Courts stand thus:—

Judicial Commissioner's Court	...	63
Commissioners' Courts	...	56
Deputy Commissioners' Courts	...	60

At the close of the year the pending files were in no class of Courts high, and practically there were no arrears. The durations of appellate cases in the Courts of Commissioners were high. On referring to the divisional reports the Chief Commissioner sees that the reasons assigned were—by one Commissioner, that he had during the month generally devoted to civil appellate work, to leave head-quarters to try Sessions cases; by another that the imminent necessity of starting relief works induced him to leave head-quarters in a busy civil appellate business month.

12. Regarding execution of decrees, the Chief Commissioner observed in last year's review—"the results are not quite so good "as in the preceding year, and the Chief Commissioner "would like to see more decrees executed, and not "so many struck off without any execution. He believes, however, that this, if "the Courts are in any way responsible for it, is still mainly due to causes over "which they have no control." The figures of the present year do not differ in any material degree from those of the past, and you show that the percentag of

Execution of decrees.

applications struck off without execution, though higher in the Central Provinces than in the Panjab and Oudh, is lower than in the North-West Provinces. It does not seem necessary to pursue the subject further now, because the new Code of Civil Procedure (Act X. of 1877) has considerably altered the action of Courts in respect to execution of decrees.

The number of persons actually committed to prison fell from 668 in 1876 to 528 in 1877; but of these 528 persons, no fewer than 108 seem to have been sent to gaol in the district of Wardha.

13. The Chief Commissioner has now noticed all the more important points in connection with the administration of Civil Justice during 1877. He hopes that all officers will profit by the rules for their guidance which the Judicial Commissioner has in his report laid down. I am to add in conclusion that the services rendered by the Judicial Commissioner during the period he has held charge of his present office, merit the best acknowledgments of the Chief Commissioner, who congratulates himself and the Province that the Civil Courts are under the control of so able and experienced an officer as Mr. Grant.

I have the honor to be,

Sir,

Your most obedient Servant,

LINDSAY NEILL,

Offg. Secretary.

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I.—Description value.
II.—Trial.
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No. 216.

FROM

THE REGISTRAR, JUDICIAL COMMISSIONER'S COURT,

Central Provinces.

TO

THE SECRETARY TO THE CHIEF COMMISSIONER,

Central Provinces.

Dated Nagpur, 16th February 1878.

SIR,

I have the honor to submit the Judicial (Civil) Statements* for the year 1877 with the following remarks :—

* *Prescribed.*	*Additional.*
B. 1.—Tribunal Statement.	I.—Description value.
B. 6.—Number and description of Suits.	II.—Trial.
B. 7.—Value of Suits.	III.—Execution.
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B. 9.—Appeals.	V.—Process.
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B. 11.—Juries and Assessors.	

A—THE TRIBUNALS [B. 1.]

	1876.	1877.
† Court of the Judicial Commissioner	1	1
Courts of the Commissioner	4	4
Courts of the Deputy Commissioner	19	19
Courts of the Assistant Commissioner	35	35
Courts of the Tahsildar	49	48
Courts of the Naib Tahsildar	21	28
	129	135
‡ Courts of Small Causes in Cantonments ...	4	4
Courts of Small Causes in Nagpur and Jubbulpore	2	2
Grand Total ...	135	141

2. The number of Civil Courts in these Provinces open at the close of 1876 and 1877 respectively, are compared in the margin. †

Exclusive of the above, the present senior Assistant Commissioner at Nagpur continues to exercise the powers of a Deputy Commissioner, under Section 16 of the Central Provinces Courts' Act.

Increase and decrease in number of Courts.

3. The increase in the number of Courts arises altogether from additions to the number of Naib Tahsildars invested with Civil Judicial powers. The decrease of one in the number of Courts of the Tahsildar is due to the closing of the Tahsildar's Court at Burha; the Naib Tahsildar at that place having been invested with Civil powers, the Deputy Commissioner was able entirely to relieve the Tahsildar of Civil work; all cases above the competency of the Naib Tahsildar being disposed of by the Extra Assistant Commissioner. In one or two other cases the appointment of Judicial Naib Tahsildars has relieved the Tahsildars' Courts of a large proportion of Civil work; and the relief thus granted to the higher officers of the Administration appears to have been accompanied by no falling off in the efficiency of the Courts.

‡ In each of the Courts of Small Causes at Nagpur and Kamptee, the Registrar sits as a second and separate Judge or Court.

4. The number of Courts is generally adequate to the amount of the original Civil business; but the Tahsili Courts at Katol, Ramtek and Saosar appear to be to some extent overworked. At the first two places Naib Tahsildars with Judicial powers are already stationed; but the Deputy Commissioner and Commissioner are of opinion that the Judicial staff at both places requires still further strengthening. The new Code of Civil Procedure (Act X. of 1877), however, by extending the jurisdiction of Courts of Small Causes, must curtail to some extent the business of the ordinary Civil Courts of the District, especially of those at head quarters; and it may be that a redistribution rather than an increase of the Judicial staff of the district will be all that is required to meet the present necessity. At Saosar the appointment of a Judicial Naib Tahsildar, if feasible, would afford all the relief required. At present in order to relieve the Tahsildar, suits, the value of the subject matter of which exceeds Rs. 50, have, much to the inconvenience of parties and witnesses, to be filed at head quarters.

Adequacy of Courts of original jurisdiction in districts.

5. The appellate work of some of the District Courts is, however, increasing considerably. Thus in the case of four districts the increase in appeals has during the year been as follows:—

Inadequacy of Appellate Courts in certain districts.

		1876.	1877.	Increase.
Hoshangabad	...	367	389	22
Narsinghpur	...	316	366	50
Nagpur	...	304	357	53
Wardha	...	246	341	95

In Nagpur the greater portion of the Civil Appellate work is performed by the Senior Assistant Commissioner; but in the other three districts the whole of the Appellate work falls to the Deputy Commissioner, and the figures given show that the work is more than can be done efficiently, when the varied duties of a Deputy Commissioner are taken into consideration.

The Deputy Commissioner, Hoshangabad, writes as follows (para. 17):—

"No addition is at present needed to the number of original Civil Courts, which are quite sufficient for the work required of them. But I would again draw attention (as I have done for the last two years) to the heavy file of appellate work that is thrown on the Deputy Commissioner. The appeals are more numerous than those of any other district in the Province, and year by year they increase. They have now increased so much that to get through this and my other work, I am obliged to hurry over them, and am unable to do proper justice either to the appeals or to my other work. I beg that another year may not be allowed to pass without granting the relief that I have so long sought for."

The Commissioner admits that the appellate work in this district presses heavily on the Deputy Commissioner, and suggests that the Senior Assistant Commissioner at head quarters and the Assistant Commissioners at Harda and Pachmarhi should be invested with Civil Appellate powers.

Some relief seems certainly to be required. The Officiating Judicial Commissioner understands that the Chief Commissioner has in consideration a measure for the purpose. The subject need not, therefore, be further discussed here.

6. The Deputy Commissioner, Nagpur, would like to see a more complete separation of the Civil judicial administration in his district. He writes as follows:—

Separation of Civil judicial administration.

"This is the first year since 1874 that any of the appellate work has fallen to the Deputy Commissioner. My own opinion is that it would be better to place the Senior Assistant Commissioner (who in this district is always invested with the Civil powers of a Deputy Commissioner) in undivided control of the Civil judicial

administration. At present there may be said to be two heads to the administration so far as concerns Civil justice, and while I am held responsible for the working of the Subordinate Courts, the Senior Assistant Commissioner sees far more of their work than I do. Added to which, the appellate work which I am required to take up occupies time which can only be given to it at the expense of my administrative duties.

"Upon the whole, I do not think that the administration of Civil justice in the Nagpur district can be looked upon as very satisfactory, and this mainly for the reason that the staff is too small and burdened with too many other duties to be able to cope satisfactorily with the work that devolves upon it. I think this district has now reached the stage when a more complete separation of the judicial and administrative functions, which has already been commenced by relieving the Deputy Commissioner of the bulk of the appellate work, is urgently demanded, and without that separation, I do not believe that much improvement in the quality of the judicial work is to be looked for."

The adoption of such a radical change does not appear to be immediately called for; and as pointed out above, the requirements of the Nagpur district may probably be met by a redistribution of the present judicial staff. So long as it is found possible to maintain the present system at all, it is undesirable not only in judicial, but also in administrative interests, to lessen the responsibility of District Officers for the supervision of the Courts, though in some cases (as at Nagpur) it may be necessary to relieve them of the drudgery of trying suits. It seems the more necessary to insist on a full measure of supervision (over the Courts) from Deputy Commissioners, because the Officiating Judicial Commissioner has noticed a tendency in some District Officers to think that judicial matters may be settled directly between himself and the Judges of the Courts without their intervention. They thus lose not only experience and practice, which may be afterwards very necessary to them, but also one of the best possible means of keeping themselves acquainted with what is going on in their districts, and of checking abuses.

Court-house accommodation.

7. The Court-houses are generally in much the same condition as last year; a few additions and alterations have been made here and there; and the most glaring defects have been remedied. Thus the Court of the Naib Tahsildar of Arvi (referred to in last year's report) has been, as a temporary measure, accommodated in a serai, and the Commissioner is in hopes that a more permanent arrangement may soon be effected by the addition of a room to the Tahsili building. The Officiating Judicial Commissioner is of opinion that the Court accommodation is on the whole very fairly good, and so far as he is at present aware, the only place where improvement is really very much needed is at Jubbulpore, where, however, the expense of building has been hitherto found prohibitive.

Law libraries.

8. The Courts are, as a rule, well supplied with copies and translations of the Acts of the Legislature. The recent issue of an edition of the Regulations of the Bengal Code, in force in the Central Provinces under the Central Provinces Laws' Act, has been a very useful addition to the English branch of the libraries. But translations of these Regulations in all the vernacular languages of the Central Provinces are not easily obtainable. The difficulty in the Sambalpur District, where Uria is the Court language, has not been removed. The Deputy Commissioner has again been asked to report specially on the subject and to submit specific proposals for obviating the difficulty.

New Code of Civil Procedure, Act X. of 1877.

9. The New Code of Civil Procedure came into force on the 1st October. From the reports it would appear that in some districts it was regarded with some apprehension, arising chiefly from ignorance of the exact nature of the

changes effected by it. This led to an excess of institutions in September, followed by a corresponding decrease in the ensuing months. It is therefore at present impossible to form a conjecture as to the probable effect which the Code will have on the business of the Courts. The changes in procedure up to decree are however very slight; the principal innovations being those which affect the execution of decrees, such as the curtailment of the period allowed for applications for execution, the transfer of decrees in certain cases for execution to Collectors of Districts, and the introduction of an Insolvency Law in a modified form. These provisions, while they are beneficial to the public, will probably lighten the business of the Courts in the Execution department, but the precise extent of the relief cannot be measured for the present.

Delay in supplying Courts with translations of the new Code of Civil Procedure.

10. There was some delay in the supply of the translations of the new code to the Courts; and some of the translations were not distributed till after the Code was actually in force. All Courts were however supplied with this important Act before the close of the year.

Revision of Judicial Civil forms.

11. The introduction of the new Code necessitated a thorough revision of the judicial forms in use in Civil Courts; and considerable extra work was thus thrown on the Jail Presses. Some slight delay has resulted in complying with individual indents; but no serious inconvenience has been experienced. The more common forms have been printed, and the new edition will soon be complete.

Digest of Civil Rulings.

12. During the year a digest of the most important rulings of this Court for some years past was prepared and issued; which will, it it is hoped, be of use to the Lower Courts in these Provinces.

* Year.		365 days.
Deduct holidays.		
December vacation, inclusive of 7 additional days on account of the Queen's proclamation ...	38	
Sundays in 11 months	47	
Civil Court casual holidays	31	116
Open days ...		249

13. During the year the Courts were open on 249 days as per margin.*

The local Bar.

14. The local Bar consists of three Barristers-at-Law; one of whom resides at Nagpur and the other two at Jubbulpore; two Attorneys, one at Hoshangabad and the other at Nagpur; and 64 Pleaders, whose local distribution is ordinarily as follows :—

Town.	No.	Town.	No.
Nagpur	17	Damoh	2
Bhandara	2	Seoni	1
Wardha	5	Hoshangabad	8
Hinganghat	2	Harda	1
Arvi	1	Narsinghpur	5
Jubbulpore	9	Burhanpur	1
Saugor	7	Raipur	3
		Total ...	64

No candidates succeeded in passing the Local Pleader's examination, which is limited to persons having some permanent connection with the Central Provinces ; but 10 additional certificates to plead were granted during the year to persons who had passed the examinations for Pleaders prescribed by the Calcutta, Bombay and Allahabad High Courts, or who had taken the degree of B. L. at the Calcutta University. There has thus been a considerable influx of pleaders into these Provinces, attracted, perhaps, in part, by the exemption which they here enjoy from the payment of fees on certificates to plead, which are leviable where Act XL. of 1865 is in force. There seems no reason, however, why similar fees should not be levied on certificates in these Provinces, and a separate communication on the subject will be submitted for the orders of the Chief Commissioner.

There has been a steady rise in the qualifications of the pleaders practising in the Province, owing as well to improvement among the better educated members of the body, as to influx of new blood. The candidates originally admitted are, as a rule, of inferior education and training ; but (as has been seen from the above remarks) the standard of admission is now high. The result is that most new practitioners find their way to our Courts through the Calcutta and Bombay High Court examinations, principally from the former.

Bengali pleaders have now made their way as far west as Hoshangabad, and as far south and east as Nagpur and Raipur, though all these places are far more accessible from Bombay than from Calcutta ; and in Nagpur, *Marathi* is the Court language. There are now in the Province 15 Bengali pleaders of the Calcutta High Court against 2 Marathi (Brahman) pleaders of the Bombay High Court. Two or three of these gentlemen are very highly qualified ; and others have at least the advantage of some training in the principles of law. As their numbers increase, it may be hoped that complaints such as are now to be found in most district reports, of the inefficiency of the local bar, will diminish. With regard to some of these remarks, it may be observed that Deputy Commissioners seem to neglect the plain remedies open to them. General denunciations can be of no possible service, and may be of much injury by lowering the popular opinion of the pleader class, and impairing their self-respect and *esprit-de-corps.* If a pleader wilfully misleads the Court in the hope of winning his case in a crooked manner, the Judge, after ascertaining the facts beyond question or doubt, should report them to superior authority. Or if pleaders come into Court unprepared, without good reason, the Court can always decline to certify his fees, acquainting the party by whom he is employed of its reasons for doing so. Even a few definite measures of this kind judiciously and discriminatingly employed, will go much further to improve the standard of advocacy than complaints made year after year, and directed against no one in particular.

B.—Extent and Character of Litigation (B6, B7 and I.)

Increase and decrease in litigation.

15. The following table shows that litigation has again increased as compared with 1876 ; and that the increase, though not proportionately so great as during the preceding year, has yet been considerable. In Wardha, Nimar and Chhindwara litigation has decreased appreciably ; and in Chanda, Hoshangabad, Betul, Bilaspur and Sambalpur it has been almost stationary ; while in the remaining districts the increases have been considerable.

In most cases special reasons are assigned for the increases or decreases, and some of these are entitled to weight, whilst others again have been manifestly made without sufficient consideration. Taking the litigation as a whole, the results of the last four years show a steady tendency to increase, and the progressive condition of the country must always be borne in mind in searching for the causes of annual fluctuations. Upon this point the Commissioner of the Nagpur Division remarks :—

> "For my own part, I do not think it necessary to inquire too curiously into the causes which influence the apparent course of litigation. A constant growth must be looked for. The increase of population, the accumulation of capital, the development of trade will all contribute to the result. Special influences may occasionally be discovered ; but they then act merely so as to hasten or retard what may be called the natural growth."

Statement showing the number of Suits instituted and re-instituted in the Civil Courts of the Central Provinces, from 1862 to 1877.

Year.	Nagpur. District.	Nagpur. City Small Cause Court.	Nagpur. Cantonment Small Cause Court, Kamptee.	Nagpur. Total.	Chanda.	Bhandara.	Wardha.	Balaghat.	Jubbulpore. District.	Jubbulpore. City Small Cause Court.	Jubbulpore. Cantonment Small Cause Court	Jubbulpore. Total.	Saugor. District.	Saugor. Cantonment Small Cause Court.	Saugor. Total.	Seoni.	Damoh.	Mandla.	Hoshangabad.	Betul.	Nimar. District.	Nimar. Cantonment Small Cause Court, Asirgarh.	Nimar. Total.	Narsinghpur.	Chhindwara.	Raipur.	Bilaspur.	Sambalpur.	Upper Godavari.	Grand Total.
1862 ..	3,349	1,622	1,612	6,583	667	1,750	658	...	1,619	316	504	2,438	2,313	601	2,914	806	760	369	2,016	1,058	...	...	...	2,121	705	1,326	163	315	7	24,666
1863 .	3,020	1,436	2,338	6,794	687	1,634	592	...	1,385	1,321	686	3,392	2,380	572	2,952	973	799	201	2,202	1,142	...	...	...	2,691	1,038	820	222	201	35	26,305
1864 ...	2,647	1,692	1,706	6,045	716	1,692	490	...	1,230	1,683	612	3,525	2,109	1,161	3,270	1,280	859	354	3,183	1,228	4,398	...	4,398	2,542	870	1,221	767	275	42	33,697
1865 ...	2,974	1,288	806	5,068	649	2,076	927	...	1,734	1,739	455	3,928	2,741	709	3,450	1,343	1,377	563	5,837	1,156	3,854	...	3,854	3,558	1,303	1,573	1,781	695	66	39,254
1866 ...	3,286	2,320	1,017	6,623	1,021	2,420	1,216	...	1,405	1,686	481	3,522	2,988	720	3,708	1,185	1,289	421	5,279	1,194	7,561	...	7,561	3,416	1,345	1,379	2,896	594	163	45,250
1867 ..	3,390	3,289	1,323	8,002	1,219	2,934	1,593	303	1,685	1,662	296	3,643	2,724	389	3,113	1,263	1,703	380	5,427	1,979	5,541	27	5,568	3,272	1,990	1,406	3,762	592	89	48,544
1868 ...	4,566	4,030	2,083	10,709	1,636	2,798	3,057	810	1,699	2,052	541	4,292	3,612	559	4,171	1,394	1,031	401	5,494	2,732	6,508	244	6,752	4,125	2,770	1,659	3,466	538	125	58,558
1869 ...	5,629	4,415	3,454	13,398	2,006	2,814	3,724	925	1,441	1,984	514	3,939	4,052	835	4,887	1,387	1,760	528	5,068	2,354	7,854	293	8,147	4,535	3,340	1,982	1,293	886	159	63,137
1870 .	5,648	4,880	3,407	13,935	2,587	3,596	4,277	727	1,725	2,435	445	4,605	4,003	692	4,695	2,185	1,693	656	6,750	2,702	7,689	165	7,854	5,657	4,027	3,123	1,866	959	289	72,183
1871 ...	6,761	5,300	2,594	14,661	2,937	3,507	6,169	1,236	2,278	2,499	463	5,240	3,132	699	3,831	2,619	1,783	569	6,695	3,207	8,551	118	8,669	6,385	3,616	3,194	2,381	1,112	286	78,088
1872 ...	6,060	5,061	2,779	13,900	2,072	3,122	5,485	989	2,313	2,400	511	5,224	2,653	672	3,324	1,904	1,343	679	7,219	3,249	9,572	174	9,746	5,593	3,537	2,644	2,561	1,087	277	73,955
1873 ...	6,315	5,709	2,428	14,452	2,161	2,663	6,051	1,191	1,985	2,254	437	4,676	2,979	432	3,411	1,692	2,030	661	7,918	3,278	7,808	147	7,955	6,360	3,633	2,657	2,081	1,427	252	74,594
1874 ...	6,904	6,104	2,837	15,845	2,039	2,707	6,839	1,319	2,106	2,493	445	5,044	3,328	302	3,630	1,450	1,741	690	7,522	2,983	7,480	90	7,570	6,265	3,729	3,662	2,085	1,337	179	76,639
1875 ...	7,310	5,993	2,885	16,188	2,235	2,812	7,061	1,503	2,012	2,278	421	4,711	3,381	281	3,662	1,863	1,541	630	7,927	3,225	8,208	62	8,270	5,756	4,464	3,358	2,043	1,354	169	78,777
1876 ...	9,152	7,465	2,830	19,447	3,175	3,190	7,159	1,581	2,205	2,037	430	4,672	3,719	399	4,018	1,661	1,477	624	8,331	3,396	8,454	84	8,538	4,967	4,391	4,833	2,885	1,812	108	86,265
1877	10,244	7,401	3,189	20,834	3,035	3,681	6,400	1,795	2,615	2,219	456	5,290	4,190	300	4,490	1,841	1,940	772	8,344	3,216	7,489	97	7,566	5,146	3,969	5,326	2,868	1,734	137	88,484
Grades and number of Courts at the close of 1877.																														
Courts of the Deputy Commissioner	1	1	1	1	1	1			1				1			1	1	1	1	1	1			1	1	1	1	1	1	19
Courts of the Assistant Commissioner.	3	2	2	2	2	3			2				1	1	1	4	1	3			1	1	3	2	1	...	35			
Courts of Tahsildar .	4	3	2	2	1	3			4				2	2	2	4	2	3			2	2	4	3	2	1	48			
Courts of the Naib Tahsildar	3	1	2	3	1	1			2				1	1	...	2	2	3			2	1	2	1	1	...	28			
Small Cause Courts and Registrar's Courts ..	4		...	...	...	2			1				...			...	...	1			...		...	...	...	..	8			
Total	15	7	7	8	5	10			10				5	5	4	11	6	19			6	5	10	7	5	2	138			

I.—Increase and Decrease of Litigation.

Comparative table of suits instituted and re-instituted.

16. The following table shows the fluctuations of business during the last five years in the Courts at each locality where they are established :—

Locality of Courts.		Number of suits instituted and re-instituted.				
		1873	1874	1875	1876	1877
Nagpur ...	Nagpur	1,900	2,267	2,580	2,595	2,790
	Court of Small Causes, Nagpur ...	5,709	6,104	5,993	7,465	7,401
	Total	7,609	8,371	8,573	10,060	10,191
	Kamptee	2,428	2,837	2,885	2,830	3,189
	Katol	2,141	2,153	2,159	2,703	3,148
	Ramtek	1,559	1,425	1,550	2,335	2,670
	Umrer	715	1,059	1,021	1,519	1,636
Chanda ...	Chanda	736	596	693	805	832
	Warora	694	716	682	1,412	1,031
	Mul	430	278	324	426	457
	Brahmapuri	301	449	536	532	765
Bhandara ...	Bhandara	1,304	1,327	795	1,279	1,568
	Tirora	893	794	1,353	1,337	1,302
	Sakoli	466	586	664	574	811
Wardha ...	Wardha	2,755	3,447	3,503	3,923	2,947
	Arvi	2,132	1,984	2,180	1,917	1,987
	Hinganghat	1,164	1,408	1,372	1,319	1,466
Balaghat ...	Burha	1,083	1,135	1,396	1,443	1,666
	Behir	108	184	112	138	129
Godavari ...	Sironcha	135	162	169	108	137
	Dumagudium	117	17	...	..	...
Jubbulpore ...	Jubbulpore	858	824	905	920	1,037
	Court of Small Causes, Jubbulpore ...	2,254	2,493	2,278	2,037	2,219
	Do. do. Cantonment ..	437	445	421	430	456
	Total	3,549	3,762	3,604	3,387	3,712
	Murwara	273	357	322	341	421
	Sihora	854	925	785	944	1,157

Locality of Courts.		Number of suits instituted and re-instituted.				
		1873.	1874.	1875.	1876.	1877.
Saugor ...	Saugor ...	1,486	1,559	1,539	1,729	2,092
	Court of Small Causes, Saugor ...	432	302	281	291	300
	Kurai ...	492	619	705	775	804
	Rehli ...	748	815	929	936	1,008
	Banda ...	253	335	208	279	286
Damoh	Damoh	1,577	1,298	1,202	1,156	1,469
	Hatta	489	446	339	321	471
Seoni ...	Seoni ...	1,186	1,112	1,446	1,229	1,390
	Laknadon ...	342	338	417	432	451
Mandla	Mandla ...	618	631	504	506	565
	Ramgarh ...	43	59	126	118	207
Hoshangabad...	Hoshangabad ...	3,468	2,263	2,006	2,349	3,054
	Seoni ...	725	805	803	897	934
	Harda ...	1,593	2,776	3,044	3,621	2,841
	Sohagpur ..	2,132	1,678	2,074	1,464	1,515
Betul ...	Betul ...	1,738	1,732	1,994	2,030	1,964
	Multai ...	1,545	1,251	1,231	1,366	1,252
Narsinghpur ...	Narsinghpur ...	2,725	2,833	2,651	2,314	2,288
	Chawarpatha ...	504	566	512	165	...
	Gadarwara ...	3,140	2,866	2,593	2,488	2,858
Nimar ..	Khandwa ...	4,514	4,327	4,842	4,974	4,410
	Burhanpur ...	2,540	2,506	2,582	2,722	2,432
	Mortakka ...	754	647	784	758	627
	Court of Small Causes, Asirgarh	147	90	62	84	97
Chhindwara ..	Chhindwara ...	2,595	2,273	2,913	2,993	2,785
	Saosar ...	1,038	1,456	1,551	1,398	1,184
Raipur ...	Raipur ...	1,556	2,132	2,115	2,788	3,023
	Drug ...	286	362	371	479	700
	Dhamtari ...	399	525	349	620	617
	Simga ...	416	643	520	946	986
Sambalpur .	Sambalpur ...	1,115	795	906	1,151	961
	Bargarh ...	312	542	448	661	823
Bilaspur .	Bilaspur ...	1,244	1,354	1,329	1,727	1,283
	Mungeli ..	513	502	465	749	579
	Seorinarain ..	324	229	249	409	1,006
	Total ..	74,594	76,639	78,777	86,265	88,484

The Officiating Judicial Commissioner, whilst fully admitting the inutility, and indeed the impossibility, of attempting, with the limited means and time at our disposal, too minute an analysis of phenomena, which may often be unimportant, and sometimes merely accidental, in their character, is still of opinion that we should not satisfy ourselves with too ready an acceptance of general solutions, or let ourselves be discouraged by the difficulty of detailed enquiries. The main object of these returns of decreases and increases, as of all other judicial statistics, is to give a clue to the manner in which justice is administered by the numerous subordinate Courts; and though, from a historical and scientific point of view, nothing can be more interesting and important than to trace the causes of social movements, we, as Judicial Officers, are mainly concerned with these changes in so far as they may account for results which (if no external causes could be assigned for them) must be put down to defects in judicial machinery. Where, then, a marked change is observable in the course of litigation, it is very necessary to enquire how far it may be due to general influences, independent of our control, in order that, due allowance being made for their operation, it may be ascertained what balance of increase and decrease remains to be accounted for by mechanical and controllable causes. Thus, if there be an increase, gradual, regular, and general to all Courts, no very elaborate investigation into the reason for it will be needed; as they may safely be assigned, in most cases, to circumstances unconnected with the action of the Courts. If on the other hand examination of the returns shows that the increase has been fitful and partial, attention should be at once directed to the places and times of its occurrence; and, if no other cause be apparent, the records of the Court or Courts in which it occurred should be inspected, in order to find out whether it has been occasioned by misapprehension of the law or other removeable error. It has been noticed above that in some districts unfounded distrust in the provisions of the new Civil Procedure Code occasioned a rush of litigation in August and September, and in such cases possibly means might be found of quieting needless apprehensions. Again, it is noticed in several reports that the opening of a new Court, or a change of the Judge, often gives an unhealthy stimulus to litigation. Such changes cannot always be avoided, but for many reasons, besides that here suggested, they should occur as seldom as possible. Nor is it likely that District Officers would recommend the opening of a new Court, except where it seemed absolutely necessary to supply a manifest want; but here too it must be remembered that litigation is often the creature of habit, and that every increase of facilities to plaintiffs adds so much more to the dislike of the poorer classes, who make up the body of the population, for our Court system. On this subject the Deputy Commissioner of Nimar remarks :—

> "I have lately been on tour on the north-western borders of the district, which marches with Holkar's territory, many of his villages being surrounded with ours and *vice versa*, and was much struck with the fact that notwithstanding the great severity of his revenue assessments, in many cases more than double those in our villages, the quality and extent of the land being much the same, yet the people manifested little desire to emigrate into British territory. They say that what they chiefly fear is our Civil Courts. In Holkar's territory there is a kind of Civil law certainly, but its provisions are most elastic, attachment and sale of moveable property is seldom carried out, and immoveable property is wholly exempt."

We shall hardly set up such a system as a model to ourselves; but, considering the advantage of conciliating the population so far as may be consistent with other duties, demands for new Courts, in places where hitherto petty disputes have been mostly settled out of Court, should only be admitted after ascertaining that they spring out of a genuine and general want, and not perhaps from the unhealthy activity of one or two money-lending firms. Again, there has been reason at times to believe that the procedure of particular Judges stimulates litigation wherever they may happen to be appointed; and, so far as this may be found to arise from an undue tendency to make the Court a mere registry of plaintiff's claims, interference may and should be exercised, and a legitimate check may be thus imposed on increase of institutions.

The Officiating Judicial Commissioner, however, believes that the general tendency of Judges is at present not to be unduly favourable to creditors, and therefore that decreases require watching at least as much as increases. There are many remarks in this year's reports, on the inclination, among Judges, to make decrees payable in instalments, without sufficient regard to the interests of the judgment creditor; and Mr. Grant has himself noticed instances of the kind, both in his present office, and whilst holding the Nerbudda and Jubbulpore Divisions. Besides this and other measures of a similar class, such as withholding plaintiff's costs, &c. by the undue exercise of which plaintiffs interests may be made to suffer, some Judges, in outlying Courts especially, are unmethodical and dilatory, making frequent postponements and not hearing cases on the appointed dates, so that suitors lose patience and avoid their Courts. There are thus cogent reasons for investigating every instance of decrease, and tracing it home to its ultimate causes, taking the returns not as an end (a not uncommon error) but as a mere means of guidance to the detailed information contained in the written proceedings of the Courts.

It will not be easy here to give full application to these principles; for the District reports must be reviewed mainly by the light of the figures which they themselves supply. But the Officiating Judicial Commissioner has noted the chief instances of increase and decrease, and will proceed to remark upon them.

The principal increases are in—

	Increase in	
	Number of cases	Percentage.
Nagpur	1,092	11·9
Kamptee Cantonment ...	359	12·7
Bhandara	491	15 4
Jubbulpore	410	18·6
Saugor ...	471	12·7
Seoni	180	16·8
Damoh ...	463	31·3
Raipur ...	493	10·2

and decreases in—

	Decrease in	
	Number of cases.	Percentage.
Wardha ...	759	10·6
Chhindwara	422	9·6
Nimar	985	11·6

In the Nagpur district the general rate of increase was 11·9 per cent. But it was principally occasioned by increase in the Katol and Ramtek tahsils, most of which took place in the months of March and April. No doubt this was caused by some external impulse to litigation, for the increase took place in two tahsils simultaneously, and notwithstanding that the Courts of both Naib-Tahsildars were closed in March. The Deputy Commissioner attributes it to "increased activity of trade;" and observes that it took place mainly in suits of low values. But if this had been a sufficient cause, why should it not have

also applied to the Nagpur and Umrer tahsils? In the former at least, the grain trade was quite as active as elsewhere. On this point the Commissioner remarks,—

> "The same facts are adduced as the cause of the increase, in Nagpur as for the decrease in Wardha, and in both districts it is pointed out, as apparently confirmatory of the contradictory results, that the decrease of suits in the one district, and the increase in the other, was mainly in suits of very small value."

These observations expose the insufficiency of the district enquiries, but it is quite possible that the same cause may have different effects in different districts. Thus a good harvest and a brisk market, by setting cultivators at their ease, may relieve the apprehensions of their creditors and so lessen the number of suits against them; whilst the high prices tell against artizans and others unconnected with the soil, and their difficulties add to the business of the Courts. The fault of both reports is in accepting plausible conclusions without carrying enquiries sufficiently home.

The increase at Kamptee is put down to the enlarged jurisdiction conferred on Small Cause Courts by the new Code of Civil Procedure, and this is probable enough. In Bhandara it took place chiefly in the Courts of the Naib-Tahsildars at Bhandara and Tirora, and the Deputy Commissioner may be right in putting it down to distress among the weaving classss, caused by loss of custom from Bombay, and high prices. The Deputy Commissioner of Jubbulpore shows that the increase in his district occurred, for the most part, at Sihora in the months of April and July and in suits of low value (under Rs. 20) He assigns as reasons the rise of prices and consequent distress of the non-agricultural poor, and some changes of officers. He does not, however, explain why the former cause was mainly operative in the Sihora tahsil. In Saugor the increase, though it took place chiefly in April, July and August, was general in those months to all Courts, and therefore seems to be reasonably enough assigned to apprehension regarding the prospects of the spring harvest, and to the subsequent failure of the monsoon. The increase of litigation in these months was partly compensated for by falling off in January and October, at both of which times there was heavy and unexpected rain; and in the Deputy Commissioner's opinion the general result was affected not so much by these fluctuations, as by the establishment of a new Court, (of a Naib-Tahsildar) at Saugor. It does not, however, seem to have been taken into account that the Tahsildar of Saugor had less work than fell to his share last year. In Seoni the increase is attributed mainly to frequent changes of Judges. The Deputy Commissioner remarks that "generally the appointment of a new man causes an "increase, and all doubtful cases are brought forward in the hopes of passing a "less thorough sifting." This tendency is common enough, though the Officiating Judicial Commissioner cannot say whether it was sufficient to account for the whole of the results attributed to it at Seoni. In Damoh a Naib-Tahsildar's Court was opened, which contributed 294 cases out of the increase of 463. This was most marked in April, and the Deputy Commissioner attributes it, so far as the Hatta Tahsil is concerned, chiefly to the excellence of the spring harvest. But that would hardly account for the large increase which occurred in July and August (there being no change in May and June). Then a falling off at the end of the year is put down entirely to failure of kharif, though it was no doubt partly attributable to the Naib-Tahsildar's Court being closed during October and November. Lastly in Raipur there was a large increase in the Raipur and Drug Tahsils, commencing in March, and continuing, with little intermission, to September and October. The Deputy Commissioner believes it was checked then by an apprehension, among certain money-lenders that the new Civil Procedure Code would be unfavourable to their interests.

Coming now to the decreases, that in Wardha has already been remarked upon as insufficiently explained. In Chhindwara the chief falling off was in the

fourth quarter, and is put down by the Deputy Commissioner to favourable expectations from the autumn harvest. The statistics afford no means of checking this conclusion. The decrease in Nimar was steady from June onwards, chiefly in suits "on written obligation" for sums between Rs. 20 and Rs. 100. The causes assigned are high prices, and increased care on the part of Judges in scrutinizing claims and in making decrees payable by instalments. The generality and steadiness of the decrease, and the class of suits in which it has chiefly occurred, support these explanations; and further suggest the desirability of making sure that the legal remedies of creditors are not curtailed in any of the Nimar Courts. The Officiating Judicial Commissioner has no present reasons for believing this to be the case, and there has long been a belief that petty litigation is too common in Nimar, but he considers this to be a fair instance of the manner in which the returns may be useful in drawing the attention of supervising officers to possible defects of practice, and he will cause enquiries to be made on the subject.

If it were generally recognized that important practical results might flow from such enquiries, and that to serve this purpose, they must be close and particular, instead of theoretical in their character, it is probable that they would be undertaken and carried out, where requisite, in a more practical spirit than that by which they are now often characterized.

II.—Value of Suits.

Relative value of suits disposed of.

17. The relative value of suits disposed of in the years 1876-77 are compared in the following table:—

Grades of value not exceeding		Number of suits disposed of in 1876.	Number of suits disposed of in 1877.	Percentage of total suits.		Average value.	
				1876.	1877.	1876.	1877.
						Rs.	Rs.
Rupees	5...	15,042	15,277	17·5	17·2	3·3	3·2
"	20...	31,821	33,066	37·	37·3	12·2	11·4
"	100...	30,956	31,737	36·	35·8	41	44
"	500...	7,106	7,350	8·2	8·3	189	194
"	1,000...	666	706			691	692
"	5,000...	450	437	1·3	1·4	1,859	2,028
"	10,000...	39	38			6,452	7,149
Exceeding Rupees	10,000...	28	21			34,329	31,135
	Total ...	86,108	88,638	100·	100·	...	...

Taking the Provinces as a whole it is apparent that the character of the litigation has remained almost precisely the same as in the previous year, the subject-matter of more than half of the suits [54·5 per cent] being of less value than Rs 20.

Observations on values of suits by districts.

18. The following table presents the subject in detail according to districts:—

Percentages of suits (disposed of) of the several classes of value.

Districts.		Not exceeding Rs. 5.	Not exceeding Rs. 20.	Not exceeding Rs. 100.	Not exceeding Rs. 500.	Exceeding Rs. 500.
Nagpur ...	1877	16·1	37·3	37·2	8·	1·4
	1876	20·8	39·3	32·8	6·2	·9
Chanda ...	1877	13·4	41·9	37·9	6·4	·4
	1876	15·2	41·5	37·2	5·5	·6
Bhandara ...	1877	16·5	39·3	37·4	6·2	·6
	1876	15·1	36·4	39·8	7·9	·8
Wardha ...	1877	12·5	35·6	40·6	10·1	1·1
	1876	14·5	37·4	37·8	9·5	·8
Balaghat ...	1877	19·4	39·3	31·9	7·8	1·6
	1876	17·6	36·1	36·	9·	1·3
Upper Godavari ...	1877	20·4	37·2	36·5	3·7	2·2
	1876	20·5	32·1	43 8	2·7	·9
Jubbulpore ...	1877	14·5	35·	33·1	12·1	5·3
	1876	14·1	34·5	37·2	11·2	3·
Saugor ...	1877	10·	36·5	41·5	10·5	1·5
	1876	11·8	35·8	39·9	10·7	1·8
Damoh ...	1877	12·9	38·	39·4	8 7	1·
	1876	11·1	38·	42·2	8·	·7
Seoni ...	1877	17·3	40·2	34·6	6·3	1·6
	1876	20·5	37·6	31·1	9·1	1·7
Mandla ...	1877	15·7	37·6	38·4	7·4	·9
	1876	14·6	40·1	37·3	7·4	·6
Hoshangabad ...	1877	11·5	30 3	40·5	14·6	3·1
	1876	11.8	31·7	40·2	13·5	2·8
Betul ...	1877	16·9	35·4	39·4	7·2	1·1
	1876	18·3	39·3	33·6	7·5	1·3
Narsinghpur ...	1877	9·7	33·5	42·9	11·6	2·3
	1876	9·1	33·4	44·2	10·9	2·4
Chhindwara ...	1877	16·6	41·7	35·2	5·8	·7
	1876	20·1	39·1	35·3	5·	·5
Nimar ...	1877	22·	37·9	32·2	6·9	1·
	1876	20·	35·2	36·8	7·	1·
Raipur ...	1877	21·3	38·9	29·8	8·4	1·6
	1876	22·8	37·2	30·7	7·6	1·7
Sambalpur ...	1877	24·6	34·3	34·9	5·9	·3
	1876	22·8	38·4	32·2	5·7	·9
Bilaspur ...	1877	25·3	40·9	26·4	6·3	1·1
	1876	29·1	39·7	24·	6·2	1·

From this table it may be gathered, that where suits have shown a tendency to increase, the proportion of cases in the lowest class has also increased, and that where there has been a decrease, it has been proportionately greatest in suits of the lowest values. Thus the remark of the Commissioner, Nagpur Division, that "It is the pettier suits which fluctuate in number from year to year, the "permanent under-current running towards an increase; suits of the higher "values increase less rapidly and fluctuate less readily" seems amply borne out. The only striking exception to this rule is in Nimar, where notwithstanding a considerable decrease in the total amount of litigation, there has been a rise in the proportion of suits of smallest values. This point has been left unnoticed by the Deputy Commissioner, but the change of proportions has been caused by the great reduction in the number of suits between Rs. 20 and Rs. 100 noticed above. There has been no increase in the number of petty suits.

III.—Description of Suits.

Comparison of numbers and proportion of suits, 1876, 1877.

19. The following table, comprising the number and proportion of suits of the principal kinds during 1876 and 1877, is prepared from Statement No. I:—

	1876.		1877.	
	Number of suits.	Percentage of total suits.	Number of suits.	Percentage of total suits.
Money due on bond or other contract ...	71,892	83·5	70,969	80·1
Recovery of moveable property or value thereof ...	8,018	9·3	9,914	11·2
Damages ...	1,982	2·3	2,470	2·8
Immoveable property ...	2,669	3·1	3,689	4·2
Rent not falling under the Rent Law ...	702	·8	747	·8
Other claims ...	845	1·	851	·9
Total ...	86,108	100·	88,640	100·

The decrease (both absolute and relative) in suits for money due on bond or other contract, and the increase in suits for recovery of moveable property or value thereof and for immoveable property, are striking. There has also been a more than proportionate increase in the number of suits for damages. The increase in suits for the recovery of moveable property and for damages is probably due in the main, as stated in some of the reports, to an unusual briskness of the grain trade, arising from the large and continued exportations to the famine districts and to England. The increase in suits for immoveable property, though distributed over most districts, does not appear assignable to any single cause operating throughout the Provinces.

Distribution of suits under sub-heads.

20. Under the several sub-heads of contract, the returns for the two years are contrasted below:—

Sub-heads of suits for money due for breach of contract.	1876.		1877.	
	Number of suits	Percentage of total suits.	Number of suits.	Percentage of total suits.
Written obligation ...	42,084	48·9	40,725	46·
Unwritten obligation ...	15,397	17·9	16,147	18·2
Account stated ...	1,516	1·7	1,556	1·7
Money paid or received ..	921	1·1	822	·9
Goods sold and delivered ...	10,993	12·8	10,599	12·
Breaches of contract not included above ...	981	1·1	1,120	1·3
Total ...	71,892	83·5	70,969	80·1

Suits on unwritten obligation are still steadily increasing; while suits on written obligation have, notwithstanding an increase in the total number of suits, decreased by 1,359 or 3· per cent. The tendency of suits under this head to decrease has not been accounted for in the local reports. It is a tendency which has been displayed for some years past; and the decrease is not merely relative but absolute. It must be remembered, however, that there has been a general decrease this year in suits for money due on contract, and the falling off in suits for money due on written obligation scarcely exceeds the general rate of decrease. Thus the proportion borne by these suits to those for money due on contract generally was last year 58·5, and is this year 57·3. The increase in suits on unwritten obligation may be due to the growing number of Naib-Tahsildar's Courts; in which claims of this kind appear to be numerous. As will be seen further on, Naib-Tahsildars are, year by year, taking a larger share of the Judicial work.

Classification of suits under main heads.

21. The statistics of each district for 1876 and 1877 for the main classes of suits are given in the following table:—

Districts, (Small Cause Court figures being included).	Total suits disposed of.	For money due. On written obligation. Number.	For money due. On written obligation. Percentage of suits disposed of.		For money due. On unwritten obligation. Number.	For money due. On unwritten obligation. Percentage of suits disposed of.		For money due. For goods sold and delivered. Number.	For money due. For goods sold and delivered. Percentage of suits disposed of.		For recovery of moveable property or value thereof. Number.	For recovery of moveable property or value thereof. Percentage of suits disposed of.		For damages. Number.	For damages. Percentage of suits disposed of.		For immoveable property. Number.	For immoveable property. Percentage of suits disposed of.	
		1877	1877	1876	1877	1877	1876	1877	1877	1876	1877	1877	1876	1877	1877	1876	1877	1877	1876
Nagpur ...	20,690	10,797	52·2	53·9	3,287	15·8	16·5	3,362	16·2	16·	1,431	6·9	5·2	385	1·8	1·5	606	2·9	2·7
Chanda ...	3,107	1,770	57·2	57·8	295	9·5	15·9	241	7·8	8·1	464	14·9	10 4	74	2·4	2 3	70	2 3	·8
Bhandara ...	3,683	1,945	52·8	52·4	570	15·5	16·	394	10 7	8·2	489	13·3	14·7	90	2·4	3 4	103	2·8	2·
Wardha ...	6,416	3,172	49·4	53·2	1,115	17·4	15·9	393	6·1	13·2	685	10 7	6·	150	2 3	1·4	279	4·3	1·6
Balaghat ...	1,798	702	39·	48·8	552	30·7	23·3	80	4·4	3 4	272	15·1	13·3	68	3·8	3·4	75	4·2	1 9
Jubbulpore ...	5,386	1,998	37·1	41·	1,210	22·4	20·4	812	15·1	15·1	233	4·3	3·5	205	3·8	2·8	372	6·9	6·4
Saugor ...	4,409	2,231	50·6	51 9	671	15·2	13·9	431	9·8	11·7	575	13·	10·6	44	1·	·9	167	3·8	3·4
Damoh ...	1,926	982	50·9	51·	287	14 9	14·	111	5·8	6·2	283	14·7	16·1	42	2·1	2·7	131	6·8	5·2
Seoni ...	1,828	594	32·5	33·7	549	30·	28·8	157	8·6	9·	263	14·4	13 1	85	4·6	7·2	100	5·5	4·7
Mandla .	766	200	26·1	28 2	276	36·	34·2	46	6·	10·8	103	13·4	9·5	60	7·8	6·9	17	2 2	3·4
Hoshangabad ...	8,397	3,723	44·3	46·7	1,462	17·4	18·5	519	6·2	6·8	1,682	20·	19·7	143	1·7	·6	324	3 9	3 6
Betul ..	3,305	1,487	44·9	45·2	755	22·8	23·9	306	9·2	12 1	397	12·	7·8	121	3·6	3·2	148	4·5	3·1
Narsinghpur ...	5,194	2,857	55·	61·6	737	14·2	13·5	363	7·	6·2	427	8·2	6·	108	2·1	1·7	397	7·6	5·3
Nimar ...	7,634	3,605	47·2	55·6	1,374	18·	14·6	1,605	21·	18·8	353	4·6	3·1	106	1·4	1·1	231	3·	1·7
Chhindwara ...	4,082	2,063	50·5	50·6	799	19·6	21·3	374	9·2	9·2	409	10·	9 5	83	2·	2·3	202	4·9	3·1
Raipur ..	5,275	1,364	25·9	27·5	1,228	23·3	25·	810	15 4	15·7	1,045	19·8	16·9	349	6·6	5·8	213	4·	4·3
Sambalpur ...	1,796	554	30·8	35·5	264	14·7	12·4	261	14·5	17·4	336	18·7	16·2	109	6·1	5·1	135	7 5	5·8
Bilaspur ...	2,809	637	22·7	22·2	685	24·4	21·6	301	10·7	17·9	456	16·2	15·9	240	8·5	6·3	119	4·2	1·8
Upper Godavari ...	137	44	32·1	37·5	31	22·6	24·1	33	24·1	20·5	11	8·	6·2	7	5·1	3 6	...	...	...
Total ...	88,638	40,725	46·	48·9	16,147	18·2	17·9	10,599	12·	12·8	9,914	11·2	9·3	2,469	2·8	2·3	3,689	4·2	3·1

The proportionate decrease in suits for money due on written obligation is shown to have taken place in almost every district, the only exceptions being Bhandara and Bilaspur; and even in these the increase is almost nominal. The increase in suits for money due on unwritten obligation is not quite so equally distributed. It will be seen that the increase in suits for immoveable property amounts to 1,020 or nearly 40 per cent over the number of suits of this class for the previous year. The increase in this class of suits has been pretty general, the largest numerical increases being in Wardha (167), Narsinghpur (138), Nagpur (87), Nimar (86), Jubbulpore (83), Chhindwarra (67), and Bilaspur (67). In very few of the district reports is this feature of the year's litigation noticed. The Deputy Commissioner, Narsinghpur, explains that a great number of the suits in that district were for houses purchased in execution of decree; but which, immediate possession not having been taken, the judgment debtors subsequently declined to vacate. And it seems probable, from a consideration of the value of the majority of suits of this nature, that the greater number of the properties are of a very petty description.

In the Bilaspur district, on the other hand, the suits "were chiefly brought "by proprietary cultivators, occupancy tenants and malik adnas (inferior pro-"prietors) for possession of land from which they had been ousted." If this shows an increasing disposition to assert the rights declared at the settlement, it may be considered a favourable feature.

IV.—Decription and Value (together) of Suits.

Relative value of the principal descriptions of suits.

22. The table below shows the relative value of suits of the principal descriptions :—

Description of Suits.	Number.	Percentage of					
		Suits not exceeding				Suits above.	Total.
		Rs. 5.	Rs. 20.	Rs. 100.	Rs. 500.	Rs. 500.	
Written obligation ...	40,725	4·5	35·7	48·4	10·	1·4	100·
Unwritten obligation ..	16,147	30·1	44·	21·8	3·6	·5	100·
Goods sold and delivered ..	10,599	47·3	39·5	11·8	1·3	·1	100·
Moveable property or value thereof ...	9,914	18·0	38·1	34·6	8·3	1·0	100·
Damages ...	2,469	16·2	37·5	37·5	7·5	1·3	100·
Immoveable property ...	3,689	14·5	25·7	34·3	19·3	6·2	100·

The greater number of the suits for immoveable property continue to be of very small value. Three-fourths are for property not exceeding Rs. 100 in value; but suits of this description of the higher values have increased in a slightly higher proportion than those of the lower values. This increase in suits of the higher values may partly be due to the increased facilities for obtaining possession of land by decrees for foreclosure of mortgage, afforded by the introduction into these Provinces of Bengal Regulation XVII of 1806 by Act XX of 1875. Suits for possession on foreclosure could not be brought during 1876, as the year's notice, requisite before filing such a suit, could not have expired in any case after the introduction of the above Regulation till the end of 1876; there would consequently be a larger number of such suits during 1877 than during 1876.

C.—General Distribution and Result of Trial of Civil Suits by Courts of Original Jurisdiction [B. 8 and 11.]

I.—Distribution.

Distribution of suits disposed of among different classes of Courts.

23. The following table shows how suits disposed of were distributed among the different classes of Courts in the several districts:—

Total number of Judges ...	8	28	48	35	19	4	142
Districts.	Small Cause Courts.	Naib Tahsildars.	Tahsildars.	Assistant Commissioners.	Deputy Commissioners.	Commissioners.	Total.
Nagpur	10,497	4,804	3,705	1,465	159	2	20,692
Chanda	...	778	1,475	849	5	...	3,107
Bhandara	...	1,992	1,060	621	10	...	3,683
Wardha	...	3,852	1,571	984	9	...	6,416
Balaghat	...	1,137	226	433	2	...	1,798
Jubbulpore	2,745	865	1,141	630	5	...	5,386
Saugor	294	1,851	1,366	889	9	...	4,409
Damoh	...	294	1,183	443	6	...	1,926
Seoni	...	400	1,166	219	43	...	1,829
Mandla	...	...	596	162	8	...	766
Hoshangabad	...	2,147	4,784	1,451	15	...	8,397
Betul	...	1,426	1,464	392	23	...	3,305
Nimar	96	2,941	1,243	3,324	30	...	7,634
Narsinghpur	...	1,099	2,893	1,172	30	...	5,194
Chhindwara	...	1,354	1,965	723	40	...	4,082
Raipur	...	2,497	2,345	427	6	...	5,275
Sambalpur	...	364	1,315	115	2	...	1,796
Bilaspur	...	926	1,578	303	2	...	2,809
Upper Godavari	...	...	98	...	39	...	137
Total ... 1877 ...	13,632	28,727	31,284	14,602	443	2	88,640
Total ... 1876 ...	13,014	24,324	31,618	16,807	344	1	86,108
Percentage .. 1877 ...	15·4	32·4	35·2	16·5	·5	...	100·
Percentage .. 1876 ..	15·1	28·3	36·7	19·5	·4	...	100·
Percentage .. 1875 ...	15·2	24·5	38·4	21·5	·4	...	100·
Percentage .. 1874 ...	15·9	17·6	44·6	21·4	·5	...	100·

During the last four years, the proportion of suits disposed of by the Courts of Small Causes has remained about the same; but the work disposed of by Naib Tahsildars has steadily increased, while that disposed of by Tahsildars and Assistant and Extra-Assistant Commissioners has as steadily diminished. Naib Tahsildars during 1877 disposed of very nearly a third of the whole litigation of the Provinces, or nearly 40 per cent of the litigation which came before the ordinary District Courts. In some districts the proportion of business disposed of by these officers was considerably greater than this percentage. As for instance, in Balaghat (63 per cent), Wardha (60 per cent), Bhandara (54 per cent), Nagpur and Raipur (47 per cent). Probably in some of these places, the employment of Naib Tahsildars for judicial work cannot be extended further with advantage; but taking the litigation of the Province as a whole, and considering that more than 55 per cent of all the suits disposed of were of less value than Rs. 20, there may be still room for additions to these Courts, by which to set free officials of a higher class for more important duties.

The reports generally show that the work done by the Naib Tahsildars is as good as that done by the Tahsildars; and judged by the test of appeals, it is even better in some cases. No doubt the paucity of appeals from the decisions of Naib Tahsildars is to a certain degree due to the comparatively low value of the suits tried by them, but when the Naib Tahsildar and the Deputy Commissioner hold their Courts in the same building, the cost and trouble of an appeal would be very trifling; and the fewness of the appeals in such cases must be attributed to the general correctness and propriety of the decisions arrived at. Naib Tahsildars' Courts are decidedly popular. On this subject the Commissioner of Nagpur remarks as follows:—

(Para. 8.) "If the Naib Tahsildars are fit to decide any suits at all, I see no reason to regret that so many suits should have been decided in their Courts. If they have disposed of very nearly half of the Civil judicial work, it has to be remembered that 53 per cent of all civil suits were for sums not exceeding Rs. 20 in value, that not one in five of these suits is contested, and that it would be waste of power to employ a superior Judge in such work."

And his conclusions are confirmed by the Deputy Commissioner of Saugor:—

(Para. 25.) "After what I have seen of the work of the Naibs, I feel compelled to withdraw the objections I once urged against their appointment as Civil Judges.

"I do not suppose the two men employed at Saugor and Rehli are in any way different from the rest of their class, and yet not a single complaint has reached me of their partiality; and as far as ability is concerned, they are quite able to decide satisfactorily the vast majority of cases which come before them."

The Officiating Judicial Commissioner has himself examined the work of these officials in several districts, and considers that, judging by present results, there need be no fear of ill results from opening fresh Naib Tahsildars' Courts where new tribunals are really wanted. The chief objection has hitherto been, that it is dangerous to entrust so much responsibility to officials on low pay; but as the Commissioner of Nagpur points out, considering the value of money in India, they are not underpaid according to the standard of many European countries. Further they have expectations to look to, as well as their present pay, and they work under the constant supervision of Tahsildars, and sometimes of District officers.

24. The following table shows the proportions in which suits of the several grades of value were disposed of by the various classes of Judges :—

Disposal of suits by the various classes of Judges according to value.

Judges.		Registrars of Courts of Small Causes.	Judges of Courts of Small Causes.	Naib-Tahsildars.	Tahsildars.	Assistant Commissioners.	Deputy Commissioners.	Total.	Remarks.
Number of Judges ...		2	6	28	48	35	19	138	
Salary of Judges ...		Rs. 100 and 200.	*Rs. 700 to 1,000.	Rs. 50 to 70.	Rs. 100 to 200.	Rs. 400 to 600.	From Rs. 833 to 1,833.		
Grades of value of Suits.	Total number of suits disposed of.	Percentage of suits disposed of before each class of Judge.							
Not exceeding Rs. 5...	15,277	17·9	3·8	49·2	23·8	5·2	·1	100·	* Includes the Judge, Assirgarh Cantonment, who receives a staff allowance of Rs. 200.
Ditto „ 50 ..	33,066	11·5	5·	46·7	29·6	7·1	·1	100·	
Ditto „ 100 ..	31,737	...	13·1	† 18·2	49·2	19·7	·8	100·	
Ditto „ 500...	7,356	...	9·	...	29·6	66·4	1·	100·	
Ditto „ 1,000 ..	706	...	4·1	...	...	94·6	1·2	100·	
Ditto „ 5,000 ..	437	...	...	...	...	58·6	41·4	100·	
Ditto „ 10,000...	38	...	...	..	...	...	100·	100·	
Ditto „ 1,00,000...	20	...	...	...	...	...	100·	100·	† Not exceeding Rs. 50 in value.
Exceeding „ 1,00,000 ..	1	...	...	...	...	...	100·	100·	
All grades ...	88,638	7·4	8·	32·4	35·2	16·5	·5	100·	

Results of Trial.

25. The general results of the trial of the suits disposed of were :—

Results of trial of suits disposed of.

	Number of suits.	Proportion per cent.	Corresponding proportion per cent in 1882.
Plaints rejected or returned	722	·8	·7
Transferred to other District or Small Cause Court jurisdiction ...	...	...	...
Without Contest.			
Decreed on confession	22,059	24·9	27·1
Dismissed for default	17,172	19·4	19·
Compromised	11,590	13·1	13·3
Decreed *ex parte*	9,962	11·2	11·0
Withdrawn with leave	897	1·	1·1
Dismissed *ex parte*	522	·6	·6
Total Uncontested ...	62,202	70·2	72·7
Contested and Judgment given for			
Plaintiff in whole	10,446	11·8	11·3
Do. in part	7,921	8·9	8·4
Defendant in whole	7,347	8·3	6·9
Total Contested ...	25,714	29·	26·6

The most striking features in this table are the large proportionate decrease in the number of decrees on confession, and the correspondingly large increase in the number of suits decided after contest. The Commissioner of the Nagpur Division thinks that "the difference in the proportion of suits shown as contested "is due rather to the Judge's mode of looking at things than to the conduct of "the suitors." This may be the case sometimes, but the different results shown in the above table for 1876 and 1877 cannot be accounted for on any theory of differences of classification; for it would be impossible that cases of the same kind should be in one year treated as decided on confession [in favour of plaintiff], and in another year be classed as disposed of after contest in favour of defendant *in whole*; and it is especially to an increase in this latter class of cases that the increase in the number and proportion of contested cases is principally due.

It cannot, however, be assumed that the above result is entirely due to improved Court practice; some part of the increase in contested cases is probably owing to the different nature of the suits that come before the Courts for decision; thus as pointed out above, there has been a large increase of suits for immoveable property, and almost every suit of that description is contested; and suits for damages and for money due on unwritten obligation have also increased.—suits which are naturally more liable to be the subject of contest than suits on written obligation which have decreased.

Comparison for 1876-77, of contested suits in the several Courts.

26. The following table shows the proportions of contested suits in Districts and Courts of Small Causes with details of the manner of disposal for 1876 and 1877 :—

Districts and Small Causes Courts.	Per centage of total cases disposed of							
	For plaintiff in whole.		For plaintiff in part.		For defendant in whole.		Total.	
	1877.	1876.	1877.	1876.	1877.	1876.	1877.	1876.
Nagpur ...	12·2	11·8	4·8	5·3	5·6	5·	22·6	22·1
Court of Small Causes, Nagpur ...	15·4	13·	6·6	8·2	6·3	5·7	28·3	26·9
Ditto Kamptee ...	8·3	9·5	10·	7·4	5·3	3·9	23·6	20·8
Chanda ...	12·	14·9	10·3	11·2	7·	6·3	29·3	32·4
Bhandara ..	8·5	8·6	10·6	9·4	7·7	7·1	26·8	25·1
Wardha ...	12·5	11·5	10·3	8·6	8·2	5·7	31·	25·8
Balaghat ...	11·8	8·4	7·5	7·9	10·7	7·9	30·	24·2
Jubbulpore ...	13·9	16·	10·8	9·8	14·7	12·1	39·4	37·9
Court of Small Causes, Jubbulpore ...	9·2	10·9	12·6	8·9	12·5	12·2	34·3	32·
Ditto Jubbulpore Cantonment...	7·8	13·6	15·1	16·5	6·4	5·8	29·3	35·6
Saugor ...	12·4	11·5	6·4	5·2	5·7	4·0	24·5	20·7
Court of Small Causes, Saugor...	7·5	7·8	8·1	14·1	6·8	4·2	22·4	26·1
Damoh ...	13·2	15·4	8·8	7·5	6·6	6·9	28·6	29·8
Seoni ...	12·7	9·2	7·3	8·1	11·4	11·8	31·4	29·1
Mandla ...	10·8	9·	10·5	11·4	9·8	10·3	31·1	30·7
Hoshangabad ...	11·8	11·1	9·7	5·8	7·6	6·9	29·1	23·8
Betul ...	12·0	10·6	9·3	5·5	7·	6·	28·3	22·1
Narsinghpur ...	16·5	15·6	11·2	12·0	12·8	8·2	40·5	35·8
Chhindwara ...	9·6	9·5	6·3	10·2	7·4	8·5	23·3	28·2
Nimar ...	9·9	7·4	7·8	5·9	6·9	4·9	24·6	18·2
Court of Small Causes, Asirgarh	9·4	9·5	5·2	4·7	6·2	3·6	20·8	17·9
Raipur ...	9·4	11·6	15·5	16·7	12·4	12·2	37·4	40·5
Sambalpur ...	9·8	12·9	7·1	9·9	7·9	7·	24·8	29·8
Bilaspur ...	11·2	9·4	10·7	12·9	13·9	11·6	35·8	33·9
Upper Godavari ...	5·8	9·8	13·2	15·2	5·8	5·4	24·8	30·4

It will be seen that the increase is pretty general. Credit is taken in some of the reports for improvement in procedure and practice of the Courts, and no doubt this has had its effect in some districts, probably in Nimar for one. But as stated above, the increase may also arise from other causes. A comparison of the returns of the two Courts of Small Causes at Jubbulpore, which during the greater part of the year were presided over by the same officer, will show that fluctuations may be occasioned by influences beyond the Judge's control. The proportion of contested cases in the Narsinghpur district is very high. It is ascribed to an increase in the number of pleaders at Narsinghpur, and this may be partly true, for it is just in those places where there are most pleaders [*i. e.* Nagpur, Jubbulpore, Hoshangabad] that the proportion of cases uselessly contested [decided in favour of plaintiff in whole] is highest; but on the other hand at Raipur, where pleaders have established themselves during the year, there has been a decrease in such cases.

Dismissals for default.

27. The proportion of dismissals for default is again highest in Bilaspur, Betul, Jubbulpore, Hoshangabad and Sambalpur. The Deputy Commissioner of Jubbulpore points out that the dismissals were most frequent in the Courts of the Naib-Tahsildars, and remarks as follows :—

> 'It is of course in suits of small value that the plaintiff most generally absents himself "after obtaining satisfaction from the defendant who has been frightened by the "receipt of the summons into submitting to his terms."

In another district the large proportion of dismissals for default is ascribed to the hastiness and superficiality of a single officer. The above reasons may be correct, but an examination of the returns for the last few years tends to show that defaults are generally numerous in the same localities year by year, the inference being as officials are frequently changed, that the high proportion of dismissals for default may arise partly from some local habit. In many localities suits are brought more to rouse debtors out of their apathy, than with any idea that they will be contested; and the mere institution serves to bring about satisfaction of claim without any need for resort to ulterior measures. In such circumstances, the Courts are of course powerless; but something might perhaps be gained by stricter adherence to the rule that the plaint, once presented, shall be at once passed into the Court, and not returned to the petitioner for presentation at his pleasure. The interim between this return and final presentation in Court is now used to work upon debtors, who would no doubt often get better terms through the Court; and the petition of plaint must be often a useful auxiliary to the threats of the creditor. Something too might be done by close enquiry into the causes of default. As is pointed out by the Deputy Commissioner of Damoh, it can almost always be ascertained by taking a little trouble, whether a defaulting plaintiff was or was not really in attendance outside the Court on the day of the default. If he was absent without sufficient explanation and the case is a mere petty money claim, it may often be presumed that the suit was brought merely to put pressure on the defendant, and that the plaintiff did not at first think personal attendance necessary. In such cases applications for reinstitution should not be entertained.

The above remarks refer to intentional defaults over which the Courts have scarcely any power; and which they would have little object in checking, but for fear of the Courts being used as a means of injuring debtors. But there will always be a residuum more or less considerable, of cases in which the only sufferer is the plaintiff, sometimes from his own carelessness, but also sometimes from the harsh or negligent procedure of the Judge. Thus the Deputy Com-

missioner of Sambalpur points out that a Tahsildar in his district has been in the habit of postponing cases till he tired out the suitors, and then of striking them off for default. The only remedy for such malpractices as these is vigilance on the part of the District Officer, shown in careful attention to the returns, and patient enquiry and examination of records.

Confession.

28. The proportion of suits decreed on confession has decreased largely, and the decrease has taken place in nearly every district. Saugor, Chanda and Nimar have the highest proportion of such cases, the Cantonment Small Cause Courts alone excepted, in all of which the proportion of cases disposed of in this manner is as usual very high. The repetition of the same results in the same localities year after year leads to the same conclusion as in the case of defaults. The proportion of confessions seems also to depend partly on the description of cases which come before the Courts; for instance, in all the three districts named above, the proportion of suits brought on written obligation, in which class of suits decrees on confession would naturally be most frequent, is exceptionally high. The result shown for Narsinghpur is surprising; in that district the proportion of suits on written obligation is higher than any where else except Chanda, and yet the proportion of decrees on confession is considerably below the average. This result, taken with the large proportion of contested cases in this district, in which decree was given for plaintiff in whole, shows either an undue disposition to resist just claims, or some error in classification. This point will receive attention during the year. In Jubbulpore decrees on confession are relatively few; but dismissals for default are numerous; and the proportion of suits for immoveable property is higher than in any other district.

Suits dismissed after *ex parte* hearing.

29. The proportion of suits dismissed after *ex parte* hearing is very high in the Nimar, Narsinghpur and Bhandara districts. The result is due in each district to the action of a single Naib Tahsildar's Court; the proportion of such dismissals to the total number of suits heard *ex parte* being in these Courts 20, 22, and 26 per cent respectively. These remarkable results have not been explained; they may perhaps be due to an error of classification, and a special report on the subject has been called for. Probably in most of these cases, the plaintiff should have been allowed to withdraw from the suit with leave to bring a fresh suit on the same cause of action.

Suits disposed of *ex parte*.

30. The proportion of suits disposed of *ex parte* is highest in Hoshangabad, Nimar, Narsinghpur and Betul. The remarks made in the local reports show that service of the summons in such cases is generally proved as well as it can be, and that these high proportions are attributable, more to the knowledge of the defendants, that the claim against them is indisputable, than to any defects in Court procedure.

Suits instituted *in forma pauperis*.

31. The number of suits instituted *in forma pauperis* shows a slight increase, from 37 to 49.

Commissions issued for local investigation.

32. Commissions for local investigation must be numerous so long as there is no provision allowing the Judge's own observations on inspection of a locality to be treated as evidence.

Commissions issued to examine accounts.

33. Commissions to examine accounts have diminished. When accounts are very complicated and lengthy, it must generally be advantageous to all parties that their investigations should be committed to experts, but as a general rule the Court can personally

examine accounts with greater expedition and less expense to the parties, and without risk of error in the conclusions arrived at. A disposition to refer accounts to commissions too frequently indicates a desire to shirk a troublesome part of Civil Judicial work. On this view the result this year is favourable; but there is still room for improvement in individual Courts.

Cases referred to arbitrators for decision.

34. The number of cases referred to the decision of arbitrators is as usual greatest in the courts of the Jubbulpore, Saugor, and Raipur districts. In the last two districts, the result appears entirely, and in the first district principally, due to the action of particular Judges; but it seems clear that suitors are more inclined to adopt this method of settling their disputes at Jubbulpore than elsewhere.

Decision on oath of party.

35. There has been a decrease in the number of suits in which any matter was decided on the oath of a party on witness. As pointed out last year, the frequency or infrequency of resort to this measure, depends mainly on the judge. Thus in the Court of the Registrar of the Small Cause Court at Nagpur, there has been a decrease from 138 to 37 in suits so disposed of, the presiding officer having been changed towads the end of 1876. Similarly the large increase in the Narsinghpur District, from 27 to 98, is due almost entirely to the Court of the Naib-Tahsildar of Narsinghpur. The Deputy Commissioner writes as follows on the subject:—

> "The majority of these cases were in the Court of Naib Tahsildar Narsinghpur. I have "had these examined and I am satisfied that the provisions of the law have been "duly observed. Sometimes, in petty cases of debts on unwritten obligations, it "often happens, when there are strong feelings on both sides, one or other of "the parties agrees to take an oath or be bound by it."

Costs decreed against winning plaintiffs.

36. There has again been a slight general decrease in the number of suits in which costs were decreed against a winning plaintiff; but in the districts of Saugor, Damoh, and Narsinghpur, there have been large increases. In Saugor, the greater number* of the suits included in this column are those in which the fees of pleaders unnecessarily engaged, have been disallowed by the Courts; and in the other two districts mentioned, the pleaders appear to be employed in many cases of a most petty nature; so that the numbers are probably not excessive. The following remarks on the subject in one of the local reports display some confusion of ideas:—

* 434 out of 597.

> "The second measure probably would have been employed with greater frequency had "not the Judges been of opinion that its efficacy was doubtful, for it is common "now for pleaders to secure their fees before hand in all small suits and in cases "where their acquaintance with their clients is slight."

It need hardly be pointed out that the question of a pleader's obtaining payment of his fees from his client; and the questions of the client recovering payment of those fees from the opposite party are quite distinct.

Decrees for payment by instalments.

37. Decrees for payment by instalments have increased slightly; the fluctuations generally are but small. In Wardha, Narsighpur, and Nimar, however, there have been considerable increases; but the numbers are not very high except in Nimar.

The Commissioner, Nerbudda Division, writes as follows on this subject :—

" The Deputy Commissioners of Hoshangabad and Chhindwara apprehend that there is an undue tendency in the Courts of their districts towards ordering payments by instalments, and the Deputy Commissioner of Betul regards the continued decrease in his district as satisfactory. On the contrary, the Deputy Commissioners of Narsinghpur and Nimar regard the increase in their districts with satisfaction, and think that the orders of the Courts in this respect are generally judicious.

Major Grace says—

" ' In the matter of ordering payment by instalments, the power has been exercised to a larger extent, and I have no reason to believe that it has been abused. In cases of small debts, I would still expect a larger number of decrees by instalments.'

" At the same time, there is no doubt, as remarked by the Deputy Commissioner of Hoshangabad, Major Ricketts, that care is necessary in ordering instalments not to favour the debtor at the expense of the creditor. On the whole, the discretion left to the Courts in the matter is, I think, ordinarily exercised in a manner which is fair to both parties."

In connection with the Commissioner's remarks, however, the following observation of the Deputy Commissioner, Hoshangabad, must be quoted, an observation which carries weight, as it is not founded on theory, but on cases which actually came before him :—

" There were 12 appeals preferred to my Court against decrees payable by instalments, of which I confirmed only one, and reversed the remaining."

The Officiating Judicial Commissioner's own experience has not been so unfavourable ; although he has noticed some cases in which instalments have been improperly decreed. It must, however, be remembered that, whilst plaintiffs generally appeal against instalment decrees, defendants rarely appeal against decrees, simply on the ground that they have not been made payable in instalments. Thus appellate Courts have more opportunity for finding fault with an undue tendency to be lenient to defendants, than with the opposite defect of neglecting the equitable claims of defendants to this indulgence. A real cause of complaint which creditors often have against the Courts is where decrees are made payable in instalments by defendants possessing landed property, without any attempt to secure the judgment debt on the property, and so to prevent it from being alienated to the prejudice of the decree-holder.

Duration of suits.

38. Durations stand at 28·3 days for contested, and 19·1 for uncontested suits. The duration of contested suits is higher than it has ever been in the Central Provinces ; and the duration of uncontested suits was higher in only one previous year. The increase in the year 1877, as compared with 1876, is due in part to the extra vacation of seven days at the beginning of the year, which being unanticipated, affected the duration of all cases then pending, to a much greater extent than its actual length would under other circumstances have done, as cases fixed for the first seven days could not be taken up then, and had often to be postponed for nearly a month ; but the detailed remarks in the district Courts show that there was in individual cases room for improvement. The Judicial Commissioner does not, however, consider that a duration of less than a month for contested cases, and of less than 20 days for uncontested cases can, considering the amount of business performed, be reckoned excessive.

The remarks of the Commissioner of the Nagpur Division in this connection are valuable, and demand the attention of all the presiding offices of Civil Courts.

After pointing out that there has been an increase in durations in every district in his Division, except one, he continues as follows :—

" If I could only believe that the longer average duration shown was not caused by the action of a few Judges or was not due to the existence of a few long protracted cases, I confess I should look upon it as a healthy sign, for I am firmly convinced that the desire to show a short average duration works great mischief, causes great inconvenience to suitors, mainly the defendants, and often leads to a miscarriage of justice. Nay more, I am sure that in many instances it is the habit which a desire to have a short average duration produces, that really causes long average durations, and the reason is this, that when a date is fixed for hearing it is fixed too soon ; when it comes, one or other party or some witness has not been got hold of, the summons has not been returned or has been returned unserved, fresh summonses have to issue and another date fixed for hearing Again, too early a date is fixed upon, because it is not the custom to give reasonable time to persons to enable them to attend, and so adjournment after adjournment takes place, and instead of a good average, the final result is a bad average.

" I do not defend such averages as those of Lalla Lachmichand in the Nagpur district, 73·4 days in contested and 53·9 days in uncontested cases ; or as those of Ram Rao Rajeswar when Tahsildar of Katol, 61 days in contested and 40 in uncontested cases. I believe it would be found that these very unfavourable averages are the result of the foolish practice I have described above. But neither do I praise such an average duration as that of the Naib Tahsildar of Umrer, 17·3 in contested and 11·4 in uncontested cases. I do not think such an average could be maintained in a Tahsil Court without causing inconvenience, to say the least of it, to suitors. As a matter of fact, when I was examining the Umrer Tahsil the other day, I found one suit pending in which the defendant had been summoned to appear and answer the claim the day after it was filed, and I found several in which ten days from the filing of the suit had been fixed for the first hearing, and the appearance of the defendant who lived in a village more than 40 miles distant ; and I found other irregularities connected with the same anxiety to get the case decided quickly. Nor was it only at Umrer that I found the subordinate Judicial officers impressed with the all-importance of showing short average durations. It was the same everywhere ; and when I found fault with the short grace allowed to defendants to appear and answer the claims preferred against them, I was remonstrated with and told that the Judicial Commissioner would take officers to task if their averages were longer. I of course explained to them that the Judicial Commissioner would not be satisfied if they failed to give defendants reasonable time to appear, and that they must let their averages take care of themselves. I have perhaps devoted too much space to this subject, but I think it is of some importance, and hope therefore to be excused."

In the same strain the Deputy Commissioner of Damoh remarks—

" I cannot help thinking that in some of the cases that came before me the interest of the parties was sacrificed in order to show better results, and shorter durations."

In another district the Officiating Judicial Commissioner was informed by the Deputy Commissioner that the result of pressing for improved durations had been to induce Tahsildars and Naib-Tahsildars to give insufficient notice of hearing, or to appoint cases for dates already occupied, and thus either to cause hurry and bad work, or else postponements and all their consequent evils. What is really desired, both in the interests of suitors and of the Administration, is not so much short durations as fixity of procedure and avoidance of postponements. It would be more convenient for suitors to have their case fixed (say) for the 25th day, and to get it disposed of then ; than that it should be nominally appointed for the tenth day, and not settled perhaps till the 15th or 20th, during which interval they would be kept hanging about the Court. The ordinary failure of subordinate Courts in these respects is want of foresight and prearrangement on the part of Judges ; and for this their superiors are sometimes to blame. A Judicial officer should never, when it can be avoided, either be sent or go out on other duty without sufficient notice ; and, in those emergencies

which it is impossible to foresee his cases might often be transferred to a neighbouring Court. Thus almost all the executive work of Tahsildars and Naib-Tahsildars might be foreseen ; and timely notice might be given them, so as to admit of their fixing no cases during periods of compulsory absence. Unforeseen absences might be provided for by transferring Naib-Tahsildar's cases to Tahsildars and *vice versa*, so far as their respective jurisdictions would admit. It is hard upon suitors to come to Court on the appointed date, and find that the Judge has gone out, say to repair a road or for some other executive duty, and that no body knows when he will be back. So too when Assistant Commissioners go out on tour, their cases should be deferred or transferred to some other Court, unless they can arrange so as to give timely notice, and hear them at places convenient for suitors.

The periodical statistics of durations should then be regarded by controlling officers rather as guides to enquiry, than as in themselves its final goal. The objects of short durations are that the Judge shall get through his work, and that the suitor shall not be harassed by avoidable delays ; and neither end is attained even when irregular proceedings are closed by decisions too hurried to quiet disputes, far less when the attempt to secure despatch defeats itself by leading to further postponements.

Hearings.

39. The average number of hearings is not excessive in any district except Sambalpur. There the high average seems to have been chiefly due to a grave irregularity in the manner of issuing processes for service which is thus referred to by the Deputy Commissioner :—

Deputy Commissioner, Sambalpur's No. 3685, dated 22nd Novr 1877.

" I found the time of the muzkuris being wasted in running over the country serving processes which could not possibly reach the addressee till days after the date fixed for hearing. For instance, if by any chance a number of processes accumulated and there was no muzkuri to send out, they were kept till one returned. He was then given 40 or 50 of the old processes to serve, whether the dates fixed in them for hearing had expired or not, and without a thought as to whether they could be returned duly served in time. I found that two muzkuris had about the time of the inspection been sent off with 80 processes, and I could not discover one which it was possible for them to return within time, and many had been given to them several days after the date of hearing had expired. While these men were away, other processes were accumulating, which would, I have no doubt, have been similarly treated."

Such a practice would of course involve the fixing of fresh dates for hearing, and thus multiply the number of hearings in each case indefinitely. It was promptly put a stop to by the Deputy Commissioner, and improved results may be expected during the current year.

Pending files.

40. When the Courts closed, only 2,783 suits were pending, and of these 79 had pended more than two months, and 23 more than four months. The number is small enough ; and it is to be feared that in some Courts the practice still continues of endeavouring by improper means, undue haste in disposal, or discouragement of the filing of plaints during the last few days, to show a clear file at the end of the year. Thus in one Court in the Hoshangabad district, in which at the end of the three previous quarters the pending file numbered 169, 130, and 80 respectively, there were only 2 cases pending at the close of the year. Any such improper tendency should be carefully watched and checked by Deputy Commissioners.

D.—Appellate Business (B. 9 and IV).

Appeals to the Judicial Commissioner, Commissioners, and Deputy Commissioners.

41. First appeals numbered—

	Courts of Deputy Commissioners.		Courts of Commissioners.		Court of the Judicial Commissioner.		Total		Percentage on— Contested cases in 19,581	Percentage on— Contested cases in 21,889
	1876	1877	1876	1877	1876	1877	1876	1877	1876	1877
From decrees. Of ordinary Civil Courts ...	2,441	3,093	607	562	1	...	3,049	3,655	15·6	16·7
From decrees. Of Courts under the Rent Law.	...	...	271	373	...	...	271	373	...	...
From orders ...	204	163	124	83	...	...	328	246	...	...
Total ...	2,645	3,256	1,002	1,018	1	...	3,648	4,274	.	...

The appellate work of Commissioners would have decreased largely, but for an increase in the appeals from decrees of Courts under the Rent Law. The increase in each division under this head has been as follows :—

Nagpur ...	... 13
Jubbulpore ...	... 50
Nerbudda ..	... 24
Chhattisgarh...	... 15

The increase of appellate work in the Courts of the Deputy Commissioner is large and general, the only district in which there is a decrease being Seoni.

Besides the districts referred to in paragraph 5, the appellate business shows an exceptionally high increase in the following districts :—

	1876.	1877.	Increase.
Saugor ...	... 163	221	58
Damoh ...	... 25	96	71
Nimar ...	... 169	213	44

The increase in the proportion of appeals to contested cases is in some districts ascribed to the increasing proportion of suits for immoveable property, in which class of cases appeals are most frequent.

In all the above districts the increase in suits for immoveable property is large, and this may probably account for a great part of the increase in appeals.

It must also be remembered that the proportion of appeals to contested cases had fallen during the two previous years, and that the proportion shown for 1877 is not so high as that which was returned for 1874.

42. Appeals first and second (special) were disposed of (otherwise than by transfer) thus—

Disposal of appeals.

Courts.	Applications for special appeal rejected.		Dismissed for default.		Remanded for retrial.		Decree of Lower Court.						Total disposed of
							Modified.		Reversed.		Confirmed.		
	Number.	Percentage of total appeals.	Number.	Percentage of total appeals.	Number.	Percentage of total appeals.	Number.	Percentage of total appeals.	Number.	Percentage of total appeals.	Number.	Percentage of total appeals.	
1	2	3	4	5	6	7	8	9	10	11	12	13	14
Court of the Judl. Commissioner ...	187	48	1	...	93	24	7	2	40	11	58	15	386
Courts of the Commissioner—													
Nagpur			19	6	18	6	42	13	49	16	187	59	315
Jubbulpore			25	8	31	10	16	6	43	15	182	61	297
Nerbudda ...			28	10	50	18	31	11	32	12	136	49	277
Chhattisgarh ...			8	5	25	17	9	7	29	19	78	52	149
Total ...			80	8	124	12	98	9	153	15	583	56	1,038
Courts of the Deputy Commissioner, Nagpur, and of Assistant Commissioner with powers of Deputy Commissioner ...			22	6	36	10	33	10	62	19	185	55	338
Chanda .			7	7	4	4	11	11	11	11	67	67	100
Bhandara ...			5	3	6	4	14	10	39	29	74	54	138
Wardha ...			30	9	13	4	26	7	93	27	183	53	345
Balaghat ..			2	2	9	11	1	1	7	9	64	77	83
Jubbulpore ...			5	4	20	14	11	8	16	12	85	62	137
Saugor . .			22	10	7	3	29	13	34	15	129	59	221
Damoh ...			6	6	13	13	8	8	15	16	54	57	96
Seoni ..			2	2	7	7	5	5	22	23	60	63	96
Mandla ...			2	6	1	3	2	6	6	17	24	68	35
Hoshangabad .			28	7	34	9	20	5	54	13	266	66	402
Betul .			10	8	12	10	8	7	23	19	69	56	122
Narsinghpur ...			25	7	49	13	15	4	41	10	250	66	380
Chhindwara ...			8	5	20	12	11	7	28	17	94	59	161
Nimar ...			11	5	5	2	23	11	32	15	140	67	211
Raipur ...			13	7	32	18	11	6	27	14	99	55	182
Sambalpur ...			5	5	7	7	11	11	31	30	48	47	102
Bilaspur ...			9	12	16	22	3	4	8	11	37	51	73
Upper Godavari ...			...	...	..	...	1	100	...	...	...	...	1
Total ...			212	6	291	9	243	8	549	17	1,928	60	3,223
Grand Total...	187	4	293	7	508	11	348	7	742	16	2,569	55	4,647

This year confirmations on appeal in the districts of the Nagpur Division are not, on the whole, lower than in other districts. Abnormal percentages under the various heads of disposal arise partly from the action of the Appellate Courts, one judge remanding for further enquiry, where another would consider the evidence sufficient and at once confirm or reverse the decision of the lower Court, and partly from specially bad or good results in the appeals from a single Court, the totals on the whole being so small, that variations in one Court affect markedly the general results. Thus the bad results in the Sambalpur district are entirely due to the result of appeals from the two Tahsili Courts at Bargarh.

There has been some increase in second appeals to this Court, and judging from the first month and a half of the current year, the tendency continues. In reference to the Chief Commissioner's remark in last year's review that the percentage of decrees confirmed is lower in the Judicial Commissioner's than in other Courts, it may be necessary to explain that a large proportion (nearly half the total number) of the applications presented are rejected after hearing the appellant's counsel, and if necessary sending for the proceedings, but without calling on the respondent to appear ; and these rejections being peculiar to this Court, are shown in a special column numbered 2. They are in fact equivalent to confirmations of the lower Court's decisions ; and taking them into account, the percentage of confirmations in the Judicial Commissioner's and the lower appellate Courts respectively, stand as follows:—

Judicial Commissioner's Court	63·4
Appellate Courts of Commissioners	56·1
Appellate Courts of Deputy Commissioners ...	59·8

A perfectly accurate comparison cannot, however, be made ; because appeals do not lie to the Judicial Commissioner's Court from properly considered decisions on questions of fact, and yet there is a constant attempt to get such appeals admitted on various pretexts. Hence the proportion of confirmations should be, as is actually the case, higher in the Judicial Commissioner's than in other Courts. The form of the statement has been slightly altered to bring out the facts more clearly.

Duration of appeals.

43. The duration of appeals in the Courts of the Commissioner is still very high; and especially in the Nagpur and Nerbudda Divisions. The average duration of appeals from orders is too high in the Jubbulpore Division. Durations in Deputy Commissioner's Courts are, on the whole, low enough.

Appeals pending.

44. The pending file shows a decided improvement ; almost all arrears have been wiped off ; only 18 appeals had been pending more than four months in Commissioners' Courts at the close of 1877, as against 87 at the close of 1876. There is a slight increase in the pending files of Deputy Commissioners' Courts, due in great measure to an increase in the number of appeals.

E.—Execution of Decrees (B. 10 and III).

Applications for execution.

*1876 ... 62
1877 ... 2

45. The number of written applications for execution filed during 1877 corresponded almost exactly with the number for 1876 ; but verbal applications were far less numerous than in the previous year ; the falling off being most marked in the Court of Small Causes, Nagpur.* This decrease is not to be regretted. The Courts disposed of a considerably

larger number of applications, thus materially reducing the pending file from 4,985 to 3,796 ; the arrears have also been very largely reduced.

46. The manner in which the applications were disposed of is shown below for the two years :—

Manner of disposal of applications for execution.

		Completely executed.	Partially executed.	Without execution.
1876	...	26·7	27·3	46·
1877	...	27·3	26·	46·7

The differences are but slight. The proportion of applications struck off without execution is higher than before. The percentage of cases so struck off in 1876 in some other Provinces is shown below :—

Panjab	36·6
Oudh	43·
North-Western Provinces	57·

The figure for these Provinces is as much above that for the Panjab as it is below that for the North-Western Provinces. The fact is that judgment creditors are often not very anxious to execute their decrees, as it pays them better to keep open their claims against judgment debtors ; and, among an ignorant and apathetic population, they have great facilities for doing so. The new Civil Procedure Code should reduce the number of mere nominal applications.

On this subject the Deputy Commissioner of Saugor has the following remarks :—

" Nothing I think shows more clearly than the figures in this return that in reality the object of the institution of a civil suit is not the decision in general of a point about which two parties are at issue or the speedy realisation of a debt ; but the simple registration of a claim more complete, because more unassailable than the record of the registry office, and more immediately available for sale in case of need than the most fully attested bond.

" Thus of 2,579 decree cases brought on the files, 632 or 24·5 per cent only were completely executed, 718 or 27·8 were partially executed, while in 1,229 or 47·6, no execution whatever was attempted, or if it was attempted then it was only with a *pro forma* object."

47. Claims to attached property have increased. They may probably diminish now that applications for attachment of moveable property must, under Act X of 1877, specify the property to be attached.

Claims to attached property.

48. Sales of immoveable property have increased ; but as stated by the Commissioner, Nerbudda Division—

Sales of immoveable property.

" A large number of the cases are doubtless houses and plots, the property of encumbered residents living in towns. It would scarcely be safe to comment on this statement, unless the different kinds of immoveable property sold were separately shown."

49. A safer judgment as to the sales of what may be called landed property, may be formed from the following table, which exhibits the extent to which Courts executing decrees, applied for the sanction of the Judicial Commissioner, to execute sale of property in land under the special provisoes subject to which the Code of Civil Procedure was extended to these Provinces :—

Extent to which sales of ancestral landed property have been executed.

Districts.	Sales of ancestral property in land sanctioned during 1877.					Disallowed.
	More villages than one.	Single villages.	Shares in villages.	Other land.	Total.	
Nagpur	...	...	5	33	38	6
Chanda	...	1	3	2	6	..
Bhandara	...	1	...	7	8	1
Wardha	1	...	2	13	16	8
Balaghat	...	1	4	3	8	2
Jubbulpore	1	3	5	7	16	1
Saugor	...	2	5	1	8	...
Damoh	...	1	5	1	7	1
Seoni	...	1	1	...	2	1
Hoshangabad	1	5	5	15	26	10
Betul	...	2	1	1	4	2
Narsinghpur	1	2	3	7	13	1
Chhindwara	...	...	2	6	8	4
Nimar	...	...	...	6	6	...
Raipur	...	1	1	...	2	1
Bilaspur	...	3	9		12	3
Total ...	4	23	51	102	180	41

This statement does not take account of applications to Commissioners for the sale of acquired property; but the number of such applications is comparatively few; and in many cases even after sale has been sanctioned, the judgment-debtor manages to raise the amount of the decree by mortgage, and so stave off a sale for the time. The Chief Commissioner will notice the changes as compared with last year; but the subject is of the less importance that the whole procedure is now changed.

50. The statement of process fees shows but little change as compared with last year. Mandla and the Upper Godavari District, for the first time this year, show a surplus of receipts over expenditure. During the year, the method of process-serving in every district was made the subject of inquiry; it was found that on the whole, the working of the system was as economical as possible; and for a few defects which came to light, remedies have been suggested.

Remarks on Process Statement.

I have the honor to be,

Sir,

Your most obedient Servant,

Nagpur,

The 16th February 1878.

S. JACOB,

Offg. Registrar.

PRESCRIBED STATEMENTS.

Judicial Statement B 1.

Showing the various Judicial Tribunals, Original and Appellate, existing in the Central Provinces on the last day of the year 1877.

Classes of Tribunals, distinguishing those which exercise powers in one Department from those exercising powers in two or three Departments, and those consisting of paid and unpaid Judges.		Number of Judicial Divisions.	Average area of each Division in square miles.	Average population of each Division.	Number of Tribunals.	Constitution of Tribunals, stating number of Judges in each and Jury or Assessors, if any.	Judicial powers of each Tribunal, Original or Appellate.	Total number of Judges. European. Covenanted.	Total number of Judges. European. Commissioned Military Officers.	Total number of Judges. European. Uncovenanted.	Total number of Judges. Native.	Average annual salary of each Judge. European.	Average annual salary of each Judge. Native.	Total cost of Tribunals.	Net receipts from Stamps.	Executive or other functions exercised by the same Officer.	Average number of days in the year devoted to Judicial work.	Average number of advocates attached to each Tribunal.	Number of Cases decided during the year. Criminal.	Number of Cases decided during the year. Civil.	Number of Cases decided during the year. Revenue.	Number of Cases decided during the year. Appellate.
1		2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
Magistrates of the second and third classes exercising Criminal powers only.	Paid ...	1	2,042	187,699	1	A single Judge presides over each Court: Jury or Assessors not employed.	Each Judge has powers of a Magistrate of the 2nd or 3rd Class under the Code of Criminal Procedure.	...	...	1	...	550	...	...	...	The paid Judge is a Civil Surgeon exercising the powers of a Magistrate of the 2nd Class.	Sundays and general holidays.	Courts of the Central Provinces.	48	...	...	...
	Unpaid ..	53	679	72,879	65			...	...	...	65	...	...	...	...				6,658	...	...	...
Magistrates of the second and third classes exercising Criminal, Civil, and Revenue powers.	Paid ...	46	2,191	226,168	54	Do.	Each Judge has on the Criminal side powers of a Magistrate of the 2nd or 3rd Class under the Code of Criminal Procedure, and on the Civil side power to hear suits of value up to Rs. 50, 100, 300, 500, 1,000, according to his powers under the Central Provinces' Courts Act (XIV. of 1865), and has on the Revenue side the powers of a Deputy Collector under the Rent Law (Act X. of 1859, as amended by Act XIV. of 1863).	1	...	1	52	2,800	1,852	Rs. 6,68,235	Rs. 7,15,651	These officers are Tahsildars (Sub-Collectors,) Assistant and Extra-Assistant Commissioners; they are employed generally in administrative work of the District to which they are attached.			8,364	32,665	7,243	...

Small Cause Courts confined to proper functions.	Paid	...	2	1,195	2,56,206	3	A single Judge presides over each Court; Jury or Assessors not employed.	One Judge has power to hear suits up to Rs. 1,000 and the other to Rs. 500 under Act XI. of 1865; the third Judge is Registrar of one of the Courts, who, under the same Act, is invested with power to hear suits.	...	2	..	1	10,400	3,000	...	...	...	249 days excluding	3 Barristers-at-Law, 2 Attorneys at-Law, and 64 Pleaders practise in the	...	9,642	...	..
Do. invested also with Criminal powers.	Paid	...	3	1,124	99,65	4	Do.	One of these Judges under Act XI. of 1865, and two under Acts XI. of 1865 and XXII of 1864, have power to hear suits up to Rs. 500 in value. Three of these Judges exercise the powers of a Magistrate. The remaining Judge is the Registrar of one of the Courts, who himself has only Civil powers to decide suits up to Rs. 20	...	3	..	1	7,600	1,920	...	...	Three of these Judges are Cantonment Magistrates.			1,003	3,696	...	...
Do. invested also with ordinary Civil or Revenue powers	Paid	..	1	10	14,536	1	Do.	This Judge has on the Criminal side the powers of a Magistrate, and on the Civil side jurisdiction in suits not exceeding Rs. 500 in value, and of a nature cognizable by Courts of Small Causes. He is also invested with the powers of a Collector under the Rent Act, except only the power to hear appeals. His jurisdiction as above is confined to Cantonment limits	...	1	..	...	8,400	...	Rs. 6,68,235	Rs. 7,15,651	This officer is the Cantonment Magistrate of Saugor.			474	294	8	...
Naib Tahsildars invested with Civil powers only.	Paid	.	27	1,770	1,23,629	28	Do.	Each Judge can hear suits up to Rs. 50 in value, under Section 6, Act XIV. of 1865, "The Central Provinces' Courts Act."	...	..	..	28	...	647			These officers assist Tahsildars in the general administration of Sub-divisions of Districts (Tahsils) to which they are posted.			1	27,705	...	...
Magistrates of the first Class (not Magistrates of Districts) invested with Criminal powers only.	Paid	...	1	1,086	24,425	1	A single Judge presides over each Court; Jury or Assessors not employed.	The full powers of a Magistrate under the Code of Criminal Procedure.	.	1	.	..	1,800	...			The paid Judge is a Civil Surgeon exercising the powers of a Magistrate of the 1st Class.			153	...	...	...
	Unpaid		3	2,425	3,08,087	8			..			8	...	...							1,096	...	...	..

Judicial Statement B 1—(*Continued*).

Classes of Tribunals, distinguishing those which exercise powers in one Department from those exercising powers in two or three Departments, and those consisting of paid and unpaid Judges.	Number of Judicial Divisions.	Average area of each Division in square miles	Average population of each Division.	Number of Tribunals.	Constitution of Tribunals, stating number of Judges in each and Jury or Assessors, if any.	Judicial powers of each Tribunal, Original or Appellate.	Total number of Judges. European. Covenanted.	Commissioned Military Officers.	Uncovenanted.	Native.	Average annual salary of each Judge. European.	Natives.	Total cost of Tribunals.	Net receipts from Stamps.	Executive or other functions exercised by the same Officer.	Average number of days in the year devoted to Judicial work.	Average number of advocates attached to each Tribunal.	Number of Cases decided during the year. Criminal.	Civil.	Revenue.	Appellate.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
Magistrates of the 1st Class (not Magistrates of Districts) invested with Civil and Revenue powers. Paid ...	25	3,676	365,854	53	A single Judge presides over each Court: Jury or Assessors not employed.	In addition to full Magisterial powers under the Code of Criminal Procedure each of these Judges can hear Civil Suits up to Rs. 1,000 or Rs. 5,000 in value according to his powers under Act XIV, of 1865, and has on the Revenue side the powers of a Deputy Collector under the Rent Law.	14	3	5	31	7,630	3,669	...	...	These officers are Assistant, and Extra Assistant Commissioners, and Tahsildars who aid Deputy Commissioners in the general administration of the Districts to which they are posted.	...	...	10,318	14,193	698	263
Magistrate of the District. Paid ...	19	4,432	426,108	19	Do.	In addition to the full powers of a Magistrate, these officers hear appeals from convictions by Magistrates of the second and third classes. They also exercise the special powers of Section 36, Code of Criminal Procedure, to try all offences not punishable with death; on the Civil side they can try suits up to any value, and hear appeals from the decisions of Subordinate Civil Courts of their Districts of the four lowest grades specified in Act XIV. of 1865. On the Revenue side they have the powers of a Collector under the Rent Law.	3	15	1	...	17,230	...	Rs. 6,68,253	Rs. 7,15,651	These officers are Deputy Commissioners invested with administrative charge of Districts.	Sundays and general holidays.	Courts of the Central Provinces.	2,154	443	31	3,320

Courts of Session exercising also Civil and Revenue powers.	Paid	4	21,032	2,023,511	4	A single Judge presides over each Tribunal. He is assisted by two Assessors when trying defended Sessions cases (Criminal)	These officers preside on the Criminal side over Courts of Session, and try heinous offenders committed by Magistrates to their Courts for trial, and likewise hear appeals from the orders of Magistrates of the 1st Class. On the Civil side Commissioners have no ordinary original jurisdiction, but under Act XIV. of 1865 hear appeals in all suits in which the value is Rs. 5,000 or more; and they also hear appeals from the judgments of Collectors and Deputy Collectors in certain suits under Act X. of 1859 (the Rent Act). They have also special original jurisdiction under Act IV. of 1869, the Indian Divorce Act, and X. of 1870, the Land Acquisition Act. In the Revenue Department, they are Commissioners of Division, and hear appeals from orders of Collectors under the Rent Law.	2	1	1	...	31,899	...	... Rs. 6,68,235	... Rs. 7,15,651	Commissioners have administrative charge of Divisions consisting of several Districts.	249 day excluding	3 Barristers-at-Law, 2 Attorneys-at Law, and 64 Pleaders practise in the	110	...	...	1,595
Court of the Judicial Commissioner.	Paid	...	1	84,933	8,201,519	1	A single Judge presides over this Court unassisted by either Jury or Assessor.	The Judicial Commissioner's Court is the Chief Appellate Court in Criminal and Civil cases. Hearing on the Criminal side appeals from the orders of Courts of Session; and on the Civil side, second appeals from decisions passed on appeal by Deputy Commissioners or Commissioners.—In Criminal cases the Judicial Commissioner has also the power of a Court of reference and revision given by the Code of Criminal Procedure to the Sadar Court.	1	...	...	...	38,000	...			...			...	.	...	529

ABSTRACT.*

Number of Criminal Courts.		*Number of Civil Courts.*	
Magistrates of the 2nd and 3rd Class	117	Small Cause Courts	6
Magistrates of the 1st Class	74	Courts of the Naib Tahsildar...	28
Magistrates of Districts	19	Courts of the Tahsildar	48
Courts of Session	4	Courts of the Assistant Commissioner	35
Court of the Judicial Commissioner	1	Courts of the Deputy Commissioner	19
		Courts of the Commissioner	4
		Court of the Judicial Commissioner	1
Total ...	215	Total ...	141

* Under administrative arrangements Officers exercising both Magisterial and Civil powers are sometimes employed only as Criminal, and sometimes only as Civil Judges, and sometimes as both. This abstract shows the actual number of Judges employed as Criminal as well as Civil Judges at the close of the year.

JUDICIAL STATEMENT B. 6.—(Civil.)

STATEMENT showing the number and description of Civil Suits instituted and disposed of in the Courts of Original Civil Jurisdiction in the Central Provinces, in the year 1877.

Class of Tribunals.	Money Due.						Rent not falling under the Rent Law.	Recovery of personal property or value thereof.	Damages.				Suits for immoveable property.	Suits for specific performance of contract.	Suits to declare and establish rights to real property, including pre-emption, foreclosure, &c.	Suits to declare and establish personal rights.	Suits for an account.	Suits relating to religious endowments.	Suits to set aside judgments, contracts or obligations on the ground of fraud.	Suits for dissolution of marriage.	Suits for enforcement of matrimonial rights.	Suits for partition.	Suits relating to shipping.	Suits relating to religion and caste.	Total.
	On written obligation for sum certain.	On unwritten promise for sum certain.	On account stated.	For money paid or received.	For goods sold and delivered.	For breaches of contract not included in the above.			For injuries to person attended with direct or actual pecuniary damage.	For injuries to property.	For defamation.	For other injuries not included in the above.													
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26
Small Cause Courts .	6,361	2,502	318	165	3,161	97	224	509			293		...	...	...	...	...	...	..	...	..	..	...	...	13,632
Sub-Divisional Courts ...	27,370	12,511	925	515	6,871	867	468	8,406			1,757		227	3	1	6	..	..	2	...	2	.	...	...	59,961
District Courts	6,992	1,134	313	112	567	156	55	999			419		3,462	74	229	105	36	...	98	10	274	10	...		15,045
Superior Courts ...	..	...	..	..	...	...	...	...			1		...	...	...	..	...	1	...	...	...	...	...		2
Total ... 1877 ..	40,725	16,147	1,556	822	10,599	1,120	747	9,914			2,470		3,689	77	230	111	36	1	100	10	276	10	...	..	88,640
Total ... 1876 ...	42,084	15,397	1,516	921	10,993	981	702	8,018			1,982		2,669	66	270	101	58	4	90	5	221	29	...	1	86,108

JUDICIAL STATEMENT B. 7.—(Civil.)

STATEMENT showing the Value of Suits disposed of in the Civil Courts of the Central Provinces in the year 1877.

Value of Suits.	Number of suits disposed of in different Courts.							
	Small Cause Courts.	Sub-Divisional Courts.		District Courts.		Commissioners	Total number of suits.	Total value of suits.
		Naib Tahsildars.	Tahsildars.	Assistant Commissioners.	Deputy Commissioners.			
1	2	3	4	5	6	7	8	9
Not exceeding Rupees 5	3,310	7,512	3,650	796	9	...	15,277	49,951
Ditto " 20	5,463	15,441	9,792	2,353	17	..	33,066	3,78,962
Ditto " 100	4,165	5,774	15,617	6,089	92	...	31,737	13,84,638
Ditto " 500	665	..	2,175	4,140	76	2	7,358	14,33,346
Ditto " 1,000	29	...	..	668	9	...	706	4,88,336
Ditto " 5,000	...	...	...	256	181	...	437	8,86,446
Ditto " 10,000	...	...	...	...	38	...	38	2,71,680
Ditto " 1,00,000	...	...	...	...	20	...	20	5,41,493
Exceeding " 1,00,000	...	...	...	...	1	...	1	1,12,355
Total ... 1877 ...	13,632	28,727	31,234	14,602	443	2	88,640	55,47,207
Total ... 1876 ...	13,014	24,324	31,618	16,807	344	1	86,108	55,80,087

JUDICIAL STATEMENT B. 8.—(Civil.)

STATEMENT showing the general result of the trial of Civil Suits, in the Courts of original jurisdiction in the Central Provinces, in the year 1877.

Class of Courts.	Suits remaining from last year.	Filed in this year.	Received by transfer.	Total for disposal.	Transferred to other Courts.	Plaints rejected or returned.	Dismissed for default.	Withdrawn with leave.	Compromised.	Decreed on confession.	Decreed *exparte*.	Dismissed *exparte*.	Contested. Judgment for plaintiff in whole or in part.	Contested. Judgment for defendant.	Total disposed of.	Pending.	Over two months.	Over four months.	Average duration of suits. Contested.	Average duration of suits. Uncontested.	Referred to arbitration.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
Small Cause Courts ...	411	13,662	6	14,079	...	214	2,656	133	1,574	4,108	1,682	40	2,855	970	13,632	447	...	...	18·4	12·9	27
Sub-Divisional tribunals ...	1,632	59,879	...	61,511	...	313	12,848	607	8,856	14,736	6,528	407	11,335	4,331	59,961	1,550	26	1	27·	19·3	194
District Courts other than Chief Courts of districts ...	822	14,538	...	15,360	...	186	2,235	151	1,124	3,154	1,726	72	3,997	1,959	14,604	756	48	21	36·8	24·5	164
Chief Courts of districts ...	65	405	1	471	...	9	33	6	36	61	26	3	180	87	441	30	5	1	64·3	33·5	16
Superior Courts ...	1	2	...	3	...	...	...	...	...	...	...	...	1	1	2	1	...	...	321·5	...	...
Total ... 1877 ...	2,931	88,486	7	91,424	...	722	17,172	897	11,590	22,059	9,962	522	18,368	7,348	88,640	2,784	79	23	28·3	19·1	401
Total ... 1876 ...	2,762	86,265	11	89,038	...	643	16,296	943	11,450	23,287	9,947	504	17,010	6,028	86,108	2,930	32	6	25·8	17·5	388

JUDICIAL STATEMENT B. 9. (Civil.)

STATEMENT showing the business of the Civil Appellate Courts of the Central Provinces, in the year 1877.

Class of Courts.	Remaining from the previous year.	Instituted during the year.	Received by transfer.	Total.	Rejected.	Dismissed for default under Sections 556, 557, Act X. of 1877.	Heard *ex-parte*.			Contested.				Total disposed of.	Pending.	Over two months.	Objections under Section 661, Act X. of 1877.	Objections allowed.	Remarks.
							Confirmed.	Modified.	Reversed.	Confirmed.	Modified.	Reversed.	Remanded.						
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
Chief Appellate Courts of Districts ...	202	3,256	...	3,458	...	212	214	32	94	1,714	211	478	268	3,223	235	...	12	1	
Superior Appellate Courts other than Chief Court of Province ...	283	1,018	...	1,301	...	60	76	17	25	507	81	137	115	1,038	263	18	7	4	
Chief Court of Province ...	27	389	...	416	167	1	4	1	17	54	6	37	79	386	30	...	...	...	
Total ... 1877 ...	512	4,663	...	5,175	187	293	294	50	136	2,275	298	652	462	4,647	528	18	19	5	
Total ... 1876 ...	468	3,989	...	4,457	167	322	197	32	139	1,727	314	594	454	3,946	511	87	12	6	

JUDICIAL STATEMENT B. 10.—(Civil.)

STATEMENT showing the execution of decrees in the Courts of the Central Provinces, during the year 1877.

Class of Courts.	Applications to execute decrees.				Decrees completely executed.	Partially executed.	Pending at the end of the year.	Nature and number of coercive processes issued.						Remarks.
	Pending from the previous year.	Filed in the year.	Received by transfer.	Total.				Imprisonment of person.	Moveable property.		Immoveable property.		Under Section 326, Act X. of 1877.	
									Attached.	Sold.	Attached.	Sold.		
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Small Cause Courts ...	564	9,738	22	10.324	2,038	2,625	455	105	2,400	533	...	...	...	
Local and Sub-divisional Courts ...	2,470	27.626	552	30,648	8,443	7,328	2,087	260	8,119	3,505	5,808	2,647	5	
District Courts ...	1,951	21,995	285	15,231	3,851	3,651	1,254	163	3,371	1,502	3,303	1,374	28	* 24,471 struck off without execution being effected.
Superior Courts ...	...	...	...	...	...	...	...	...	...	...	...	...	...	† 23,509 ditto.
Total ... 1877 ...	4,985	59,359	859	56,203	14,332	13,604	*3,796	528	13,890	5,540	9,111	4,021	‡ 33	‡ All temporary alienations.
Total ... 1876 ...	4,636	50,495	962	56,093	13,660	13,939	†4,985	668	14,965	5,781	9,026	3,884	§ 59	§ Ditto.

JUDICIAL STATEMENT B. 11. (Civil.)

STATEMENT showing the use of Juries and Assessors in the Civil Courts of the Central Provinces, during the year 1877.

Classes of Courts in which Juries or Assessors are employed, distinguishing Criminal from Civil Courts.	Established or average number of Jury or Assessors in each case and prescribed qualifications.	Number of cases tried by Jury.	Number of cases with Assessors.	Jury trials.			Assessors trials.		Note showing in what classes of cases Juries or Assessors have been principally employed.	Remarks.
				Verdict in favor of the prosecutor or plaintiff.	Verdict in favor of the accused or defendant.	Jury discharged without verdict.	Number of cases in which Judges agreed with Assessors.	Number of cases in which Judges differed from Assessors.		
Civil Courts. (*Blank.*)										

ADDITIONAL STATEMENTS.

No.

STATEMENT showing the number, description and value of Original Suits

District and Small Cause Courts.	For Money Due.						For rent, not falling under the Rent Law.	For moveable property or value thereof.	For damages.	For immoveable property.	For specific performance of contract.
	On written obligation.	On unwritten obligation.	On account stated.	For money paid or received.	For goods sold and delivered.	For breaches of contract not included in the above.					
1	2	3	4	5	6	7	8.	9	10	11	12
Nagpur ...	5,665	1,539	58	74	904	40	18	1,001	192	606	...
Court of Small Causes Nagpur	3,845	1,019	52	112	1,687	65	66	376	126	...	...
Small Cause Court, Kamptee.	1,287	729	104	23	771	24	90	54	67	...	...
Chanda ...	1,770	295	56	36	241	80	1	464	74	70	...
Bhandara ...	1,945	570	3	26	394	32	5	489	90	103	1
Wardha ..	3,172	1,115	418	73	393	18	51	685	150	279	4
Balaghat ...	702	552	15	2	80	3	7	272	68	75	3
Jubbulpore ...	910	534	77	67	238	55	15	163	110	372	4
Court of Small Causes, Jubbulpore ...	1,606	567	74	22	439	2	35	63	86	...	...
Court of Small Causes. Jubbulpore Cantonment ...	82	109	85	2	135	...	22	7	9	...	...
Saugor ...	2,118	615	133	39	538	37	19	569	39	167	16
Small Cause Court, Saugor.	113	56	1	3	93	6	11	6	5	...	...
Damoh ...	982	287	21	31	111	9	3	283	42	131	1
Seoni ...	594	549	3	35	137	1	8	263	85	100	...
Mandla ...	200	276	21	26	46	2	1	103	60	17	2
Hoshangabad ...	3,723	1,462	92	58	519	240	73	1,682	143	324	12
Betul ...	1,487	755	6	40	306	19	10	397	121	148	1
Narsinghpur ...	2,857	737	77	43	363	15	132	427	108	397	1
Chhindwara ...	2,963	799	20	29	374	45	17	409	83	202	3
Nimar ...	3,575	1,352	108	27	1,569	9	115	350	106	231	18
Small Cause Court, Asirgarh.	30	22	2	3	36	...	...	3	...	...	...
Raipur ...	1,364	1,228	21	21	810	116	37	1,045	349	213	2
Sambalpur ...	554	264	13	...	261	82	7	336	109	135	3
Bilaspur ...	637	685	89	30	301	217	4	456	240	119	6
Upper Godavari ...	44	31	7	...	33	3	...	11	7	...	...
Commissioner, Nagpur Division ...	...	...	...	...	...	...	...	...	1	...	...
Total ... 1877..	40,725	16,147	1,556	822	10,599	1,120	747	9,914	2,470	3,689	77
Total ... 1876..	42,084	15,397	1,516	921	10,993	981	702	8,018	1,982	2,669	66

Exhibition of above Grand

Not exceeding Rs. 5 ...	1,635	4,867	137	167	5,016	316	221	1,782	400	533	2
Ditto „ 20 ...	14,523	7,089	473	292	4,181	442	336	3,785	926	949	8
Ditto „ 100 ...	19,715	3,517	601	266	1,255	258	163	3,432	926	1,265	13
Ditto „ 500 ...	4,090	592	258	79	137	87	24	820	186	712	45
Ditto „ 1,000 ...	352	53	47	13	9	10	3	55	23	114	5
Ditto „ 5,000 ...	184	24	39	4	1	7	...	36	8	103	1
Ditto „ 10,000 ...	20	2	1	...	...	...	...	2	1	9	...
Ditto „ 1,00,000 ...	6	3	...	1	...	...	...	2	...	3	3
Exceeding „ 1,00,000	...	...	...	...	...	...	...	...	...	1	..
Total ... 1877.	40,725	16,147	1,556	822	10,599	1,120	747	9,914	2,470	3,689	77
Total ... 1876.	42,084	15,397	1,516	921	10,993	981	702	8,018	1,982	2,669	66

I.

disposed of in the Central Provinces during the year 1877.

To declare and establish rights only. Connected with immoveable property, including pre-emption, foreclosure, &c.	Personal (unconnected with immoveable property.)	For an account.	Relating to religious endowments.	To set aside judgments, contracts or obligations on the ground of fraud.	For dissolution of marriage.	For enforcement of matrimonial rights.	For partition.	Relating to shipping.	Relating to religion and caste.	Total.	Remarks.
13	14	15	16	17	18	19	20	21	22	23	31
5	20	6	...	1	2	62	...	...	...	10,193	
...	...	...	...	...	...	...	...	...	..	7,348	
...	...	...	...	...	...	...	...	...	...	3,149	
7	2	2	...	5	1	2	1	...	..	3,107	
1	12	4	...	...	...	8	...	...	...	3,683	
12	10	1	...	1	4	30	...	.	...	6,416	
1	9	...	...	2	1	5	1	...	...	1,798	
30	18	5	...	8	...	35	...	...	...	2,641	
...	...	...	...	...	...	...	...	...	...	2,294	
...	...	...	...	...	...	...	...	...	...	451	
17	4	3	...	...	...	1	...	...	...	4,115	
...	...	...	...	...	...	...	...	...	...	294	
16	9	...	...	...	...	...	...	...	...	1,926	
9	2	...	...	3	...	19	...	...	...	1,828	
2	...	1	...	...	...	9	...	...	...	766	
22	9	11	...	22	...	3	2	..	...	8,897	
9	...	...	...	4	...	2	...	...	.	3,305	
13	3	1	...	8	2	10	...	...	...	5,194	
...	1	...	...	4	...	33	...	...	..	4,082	
25	3	2	...	11	...	37	...	...	..	7,538	
...	...	...	...	...	...	...	...	...	...	96	
47	1	...	...	17	...	2	2	...	...	5,275	
8	3	...	...	9	...	8	4	...	...	1,796	
6	5	...	...	5	...	9	...	...	.	2,809	
...	...	...	...	...	...	1	...	...	...	137	
...	...	...	1	...	...	...	...	...	..	2	
230	111	36	1	100	10	276	10	...	...	88,640	
270	101	58	4	90	5	221	29	...	1	86,108	

Total in detail of values..

											Number of suits disposed of in different Courts. Small Cause Courts.	Naib Tahsildar's Courts.	Courts of the Tahsildar	Courts of the Assistant Commissioner.	Courts of the Deputy Commissioner.	Courts of the Commissioner.	Total value of Suits (as computed under the Court Fees Act.)
											24	25	26	27	28	29	30
...	1	...	...	...	...	...	...	...	...	15,277	3,310	7,512	3,650	796	9	...	49,951
47	5	...	...	10	...	...	...	...	...	33,066	5,463	15,441	9,792	2,353	17	...	3,78,962
22	13	2	...	22	.	263	4	...	...	31,737	4,165	5,774	15,617	6,089	92	...	13,84,638
137	79	30	1	54	10	13	4	...	...	7,358	665	...	2,175	4,440	76	2	14,33,346
11	1	...	...	10	...	...	...	...	...	706	29	...	...	668	9	...	4,88,336
12	8	4	...	4	...	...	2	...	...	437	...	...	...	256	181	...	8,86,446
1	2	...	...	...	...	...	...	..	...	38	...	...	...	...	38	...	2,71,680
...	2	...	...	...	...	...	...	...	...	20	...	...	...	...	20	...	5,41,493
...	...	...	...	...	...	...	...	..	...	1	...	...	...	...	1	...	1,12,355
230	111	36	1	100	10	276	10	..	...	88,640	13,632	28,727	31,234	14,602	443	2	55,47,207
270	101	58	4	90	5	221	29	...	1	86,108	13,014	24,324	31,618	16,807	344	1	55,80,087

No.

STATEMENT showing the result of the trial of Original Suits

Districts.	For disposal.					Dis	
	Remaining at close of previous year.	Re-instituted during the year (Sections 99, 103, 562, 623, Act X of 1877.)	Received by transfer from other Provinces during the year.	Instituted during the year (Section 58, Act X of 1877.)	Total.	Transferred to other Provinces.	Plaint rejected or returned after institution.
1	2	3	4	5	6	7	8
Nagpur ...	350	349	...	9,895	10,594	...	66
Small Cause Court, Nagpur ...	152	103	...	7,298	7,553	...	173
Do. Kamptee ...	53	37	...	3,152	3,242	...	25
Chanda ...	85	28	...	3,057	3,170	...	37
Bhandara ...	131	162	...	3,519	3,812	...	19
Wardha ...	188	234	...	6,166	6,588	...	24
Balaghat ...	54	65	...	1,730	1,849	...	7
Jubbulpore ...	116	92	...	2,523	2,731	...	37
Small Cause Court, City, Jubbulpore ...	205	21	6	2,198	2,430	...	11
Small Cause Court, Cantonment, Jubbulpore ...	1	1	...	455	457	...	2
Saugor ...	141	100	...	4,090	4,331	...	26
Small Cause Court, Saugor ...	...	...	...	300	300	...	3
Damoh ...	57	33	...	1,907	1,997	...	14
Seoni ...	16	46	...	1,795	1,857	...	27
Mandla ...	15	19	...	753	787	...	10
Hoshangabad ...	267	154	...	8,190	8,611	...	39
Betul ...	180	117	...	3,099	3,396	...	21
Narsinghpur ...	164	129	...	5,017	5,310	...	35
Chhindwara ...	186	83	...	3,886	4,155	...	43
Nimar ...	244	116	1	7,353	7,714	...	50
Small Cause Court, Asirgarh ...	...	...	...	97	97	...	...
Raipur ...	90	85	...	5,241	5,416	...	22
Sambalpur ...	141	82	...	1,702	1,925	...	6
Bilaspur ...	93	39	...	2,829	2,961	...	25
Upper Godavari ...	1	1	...	136	138	...	...
Commissioner, Nagpur Division ...	1	...	...	2	3	...	...
Total. ... 1877 ...	2,931	2,096	7	86,390	91,424	...	722
Total. ... 1876 ...	2,762	2,107	11	84,158	89,038	...	643

II.

in the Districts of the Central Provinces, during the year 1877.

posed of—											
Dismissed for default (Section 58, Act X. of 1877.)		Withdrawn with leave (Section 373, Act X. of 1877.	Compromised.		Decreed on confession (in full of claim).		Decreed *ex-parte*.				
								Dismissed *ex-parte*.		Total.	
Number.	Percentage.		Number.	Percentage.	Number.	Percentage.	Decreed.	Number.	Percentage of total *ex-parte*.	Number.	Percentage of total disposed of.
9	10	11	12	13	14	15	16	17	18	19	20
2,077	20·4	123	1,853	18·2	2,689	26·4	1,034	47	4·3	1,081	10·6
1,043	14·2	86	836	11·4	1,906	25·9	1,189	37	3·0	1,226	16·7
289	9·2	36	470	14·9	1,437	45·6	146	3	2·0	149	4·7
418	13·5	31	477	15·3	990	31·9	233	11	4·1	244	7·8
706	19·2	57	441	11·9	1,060	28·9	356	55	13·3	411	11·1
1,321	20·6	156	784	12·2	1,327	20·7	779	38	4·6	817	12·7
304	16·9	34	190	10·6	486	27·0	224	14	5·9	238	13·2
667	25·3	17	363	13·7	298	11·3	214	5	2·3	219	8·3
661	28·8	3	156	6·8	406	17·7	271	...	...	271	11·8
34	7·5	6	42	9·3	169	37·5	66	...	...	66	14·6
627	15·2	27	648	15·8	1,416	34·4	351	12	3·3	363	8·8
17	5·8	2	58	19·7	141	48·0	7	...	...	7	2·4
364	18·9	15	319	16·6	497	25·8	155	11	6·6	166	8·6
405	22·2	12	201	11·1	410	22·4	190	8	4·0	198	10·8
176	22·9	9	151	19·7	120	15·7	55	7	11·3	62	8·1
1,885	22·5	37	949	11·3	1,644	19·6	1,368	28	2·0	1,396	16·6
768	23·2	17	511	15·5	637	19·3	403	13	3·1	416	12·6
762	14·6	16	571	11·0	1,039	20 0	602	68	10·1	670	12·9
1,081	26·5	22	670	16·4	984	24·1	321	11	3·3	332	8·1
1,393	18·5	55	732	9·7	2,298	30·5	1,049	105	9·1	1,154	15·3
12	12·5	...	12	12·5	49	51·1	3	...	...	3	3·1
982	18·6	92	708	13·4	1,000	19·0	480	16	3·2	496	9·4
488	27·2	22	113	6·3	431	24·0	272	19	6·5	291	16·2
687	24·5	16	309	11·0	571	20·3	183	13	6·6	196	7·0
5	3·6	6	26	19·0	54	39·4	11	1	8·3	12	8·8
...	...	...	...	...	...	...	...	...	...	...	...
17,172	19·4	897	11,590	13·1	22,059	24·9	9,962	522	4·9	10,484	11·8
16,296	18·9	943	11,450	13·3	23,287	26·9	9,947	504	4·8	10,451	12·2

STATEMENT

Districts.	Disposed of.—*Contd.*							
	Contested (and disposed of by).						Total.	
	Judgment for plaintiff.				Judgment for defendant.			
	In whole (of claim).		In part (of claim).					
	Number.	Percentage on total contested.	Number.	Percentage on total contested.	Number.	Percentage on total contested.	Number.	Percentage on total disposed of.
	21	22	23	24	25	26	27	28
Nagpur	1,242	53·9	488	21·2	574	24·9	2,304	22·6
Small Cause Court, Nagpur ...	1,133	54·5	484	23·3	461	22·2	2,078	28·3
Do. Kamptee ...	262	35·3	314	42·2	167	22·5	743	23 6
Chanda ...	374	41·1	320	35 2	216	23·7	910	29·3
Bhandara	313	31·7	393	39·7	283	28·6	989	26·8
Wardha	801	40·3	660	33·2	526	26·5	1,987	31·0
Balaghat	212	39·3	134	24·9	193	35·8	539	30·0
Jubbulpore	367	35·3	286	27·5	387	37·2	1,040	39·4
Small Cause Court, City Jubbulpore .	211	26·9	288	36·6	287	36·5	786	34·3
Do. Cantonment Jubbulpore ..	35	26·5	68	51·5	29	22·0	132	29·3
Saugor	511	50·7	261	25·9	236	23·4	1,008	24·5
Small Cause Court, Saugor ...	22	33·3	24	36·4	20	30·3	66	22·4
Damoh	255	46·3	169	30·7	127	23·0	551	28·6
Seoni	233	40·5	134	23·3	208	36·2	575	31·4
Mandla	83	34·9	80	33·6	75	31·5	238	31·1
Hoshangabad ...	993	40·6	817	33·4	637	26·0	2,447	29·1
Betul	397	42·5	309	33·0	229	245.	935	28·3
Narsinghpur	856	40·7	579	27·6	666	31·7	2,101	40·5
Chhindwara	392	41·3	255	26·8	303	31·9	950	23·3
Nimar	747	40·3	589	31·7	520	28·1	1,856	24·6
Small Cause Court, Asirgarh ...	9	45·0	5	25·0	6	30·0	20	20·8
Raipur	498	25·2	820	41·5	657	33·3	1,975	37·4
Sambalpur	176	39·6	127	28·5	142	31·9	445	24·8
Bilaspur	316	31·4	299	29·8	390	38·8	1,005	35·8
Upper Godavari	8	23·5	18	53·0	8	23·5	34	24·8
Commissioner, Nagpur Division ..	1	50·0	...	.	1	50·0	2	100·0
Total ... 1877 ..	10,447	40·6	7,921	30·8	7,348	28·6	25,716	29·0
Total ... 1876 ..	9,723	42·2	7,287	31·6	6,028	26·2	23,038	26·8

No. II.—*Contd.*

Total.	Pending.			Average.			Number of suits disposed of—								Remarks.
	Total.	Over two and not over four months.	Over four months.	Duration of suits (in days and tenths).		Number of hearings in suits disposed of.	Instituted in *forma pauperis* (S. 410, Act X of 1877.)	In which commission issued for local investigation (S. 392, Act X of 1877.)	In which commission issued to investigate or adjust accounts (S. 394, Act X of 1877.)	In which commission issued to make a partition (S. 396, Act X of 1877.)	In which reference was made to arbitrators.	In which any matter was decided on oath of party or witness.	In which any of these costs of a successful plaintiff, which are not more than proportionate to the relief decreed are decreed against such plaintiff.	In which payment by instalments was decreed (S. 210, Act X of 1877.)	
				Contested.	Uncontested.										
29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44
10,193	401	57	20	38·9	21·6	2·3	6	88	35	...	25	82	215	381	
7,348	205	...	...	18·1	12·2	1·6	2	15	22	...	8	45	374	449	
3,149	93	...	...	15·9	9·9	1·4	1	16	13	...	17	30	82	306	
3,107	63	4	1	35·3	22·3	2·5	...	14	13	...	8	19	116	257	
3,683	129	1	...	24·4	17·5	2·0	...	25	33	...	6	44	124	227	
6,416	172	2	...	37·2	22·2	2·8	1	74	35	...	11	33	303	360	
1,798	51	1	...	23·1	15·5	2·2	3	17	2	...	3	14	17	91	
2,641	90	1	...	27·7	19·6	2·4	...	53	24	...	68	25	44	166	
2,294	136	...	...	24·1	22·7	1·1	...	...	2	...	2	4	10	121	
451	6	...	...	7·6	6·4	1·1	...	...	...	...	...	...	36	39	
4,115	216	3	...	30·7	18·3	2·1	10	18	25	...	39	56	597	528	
294	6	...	...	11·0	7·7	1·3	...	1	...	...	...	...	16	8	
1,926	71	...	...	23·2	16·4	2·2	...	17	12	...	22	35	391	239	
1,828	29	1	...	20·2	15·2	1·8	3	27	2	...	8	35	88	80	
766	21	...	...	24·2	17·8	2·4	...	3	...	...	1	1	8	39	
8,397	214	1	...	30·0	20·4	2·1	...	19	40	...	28	48	124	339	
3,305	91	...	...	27·2	20·3	2·1	1	40	12	...	9	16	182	118	
5,194	116	...	...	23·5	16·9	1·8	2	36	12	...	19	98	430	425	
4,082	73	...	...	31·8	20·8	2·1	...	41	13	...	13	41	93	222	
7,538	176	1	1	28·6	18·6	1·6	12	62	58	...	41	148	147	807	
96	1	...	...	7·6	7·2	1·0	...	...	...	...	...	...	...	3	
5,275	141	...	...	22·3	16·5	2·3	6	46	5	...	52	44	45	312	
1,796	129	6	...	44·0	29·7	3·4	...	13	2	...	8	...	79	47	
2,809	152	1	1	29·4	21·4	2·0	2	29	2	...	11	50	152	211	
137	1	...	...	24·0	14·5	2·4	...	4	4	...	2	4	4	20	
2	...	...	...	321·5	...	5·5	...	1	1	...	...	...	...	...	
88,640	2,783	79	23	28·3	19·1	2·1	49	659	367	...	401	872	3,677	5,795	
86,108	2,930	32	6	25·8	17·5	1·9	37	504	483	...	388	1,097	3,903	5,411	

No.

STATEMENT showing the Execution of Decrees in the Districts

Districts and Small Cause Courts.	Applications to execute decrees.					Struck off, execution for the time being ended and no coercive processes remaining in force.				
		Filed.								
	Pending from last year.	Verbally (Section 256, Act X. of 1877.)	In writing.	Received by transfer (i.e., first applications on certificates from other Courts.)	Total.	Decrees completely executed.	Decrees partially executed.	Without execution.	Total.	Decrees executed by possession being given of specific property decreed.
1	2	3	4	5	6	7	8	9	10	11
Nagpur ...	424	47	5,148	392	6,011	1,546	1,204	2,755	5,505	144
Small Cause Court, Nagpur ...	170	2	4,423	...	4,595	1,084	526	2,823	4,433	1
Small Cause Court, Kamptee ...	283	16	3,950	1	4,250	589	1,646	1,763	3,998	...
Chanda ...	192	13	1,544	27	1,776	619	504	539	1,662	4
Bhandara ...	387	8	1,564	23	1,982	647	443	706	1,796	33
Wardha ...	389	34	3,444	127	3,994	1,005	686	2,002	3,693	60
Balaghat ...	112	11	974	14	1,111	327	279	370	976	22
Jubbulpore ...	169	12	1,232	91	1,504	495	340	554	1,389	102
Court of Small Causes, Jubbulpore ...	103	7	971	13	1,094	227	322	511	1,060	...
Court of Small Causes, Jubbulpore Cantonment ...	5	3	226	5	239	97	76	60	233	...
Saugor ...	239	10	2,533	14	2,796	632	718	1,229	2,579	53
Small Cause Court, Saugor ...	3	...	123	...	126	30	52	43	125	...
Damoh ...	97	1	889	21	1,008	300	274	381	955	37
Seoni ...	40	...	866	...	906	301	215	362	878	6
Mandla ...	11	3	209	9	232	92	58	71	221	5
Hoshangabad ...	494	3	5,572	20	6,089	1,307	1,515	2,914	5,736	52
Betul ...	286	7	2,200	25	2,518	521	455	1,313	2,289	30
Narsinghpur ...	439	20	4,548	26	5,033	1,088	1,698	1,850	4,636	138
Chhindwara ...	243	4	1,944	1	2,192	578	728	726	2,032	2
Nimar ...	541	20	4,080	26	4,667	1,483	911	2,008	4,402	45
Small Cause Court, Asirgarh ...	...	...	17	3	20	11	3	6	20	...
Raipur ...	172	9	1,999	9	2,189	714	533	848	2,095	26
Sambalpur ...	89	...	749	...	838	249	183	320	752	22
Bilaspur ...	93	1	890	12	996	368	226	313	907	27
Upper Godavari ...	4	1	32	...	37	22	9	4	35	...
Total ... 1877	4,985	232	50,127	859	56,203	14,332	13,604	24,471	52,407	809
Total ... 1876	4,636	376	50,119	962	56,093	13,660	13,939	23,509	51,108	722

III.

of the Central Provinces, during the year 1877.

Pending.			Claims to attached property decided.		Nature and number of coercive processes issued.							
							Moveable property		Immoveable property.			
Total.	Over two and not over four months.	Over four months.	For claimant in whole or part.	Against claimant.	Persons actually committed to prison.	Number of persons declared insolvent.	Number of warrants in execution of which attachment was effected.	Number of orders for sale executed.	Number of warrants in execution of which attachment was effected.	Number of orders for sale executed and confirmed by Court and Collector.	Number of cases in which the property was disposed of by the Collector, by lease, mortgage, farm or management.	Temporary alienations authorized under Section 326, Act X of 1877.
12	13	14	15	16	17	18	19	20	21	22	23	24
506	71	14	327	205	35	...	1,076	644	1,708	798	...	...
162	2	...	112	139	58	...	1,010	320	...	...	...	...
252	...	...	28	17	11	...	1,193	124	...	...	...	...
114	12	11	127	54	12	...	672	308	396	176	...	...
186	10	2	82	86	5	...	783	379	443	203	...	1
301	36	27	235	173	108	...	1,143	412	808	381	...	...
135	6	1	61	39	6	...	341	136	179	73	..	...
115	9	32	62	78	22	...	230	99	283	117	...	2
34	...		12	17	19	...	159	74	...	...	...	...
6	...	...	...	...	11	...	24	10	...	...	...	...
217	41	34	113	205	25		610	236	707	271	...	10
1	..	...	1	1	6	.	9	3	..	...	...	...
53	4	3	39	22	5	.	153	75	255	132	...	...
28	3	.	28	25	20	...	174	101	114	57	...	...
11	...	.	7	6	...	...	57	20	37	20	...	...
353	...	49	203	269	22	...	1,531	536	1,139	447	...	4
229	. .	5	67	106	11	...	546	181	551	170	...	3
397	...	9	69	240	41	...	1,229	501	747	379	...	8
160	14	6	41	118	17	...	788	413	625	313	...	...
265	33	7	284	165	21	...	897	364	732	311	...	4
...	...	...	...	...	...	...	5	2	...	...	...	...
94	3	3	43	50	48	...	620	311	168	95	...	1
86	...	2	9	20	3	...	372	136	131	38	...	...
89	7	7	22	14	22	...	249	149	88	38	...	...
2	...	...	7	...	.	..	19	6	...	2	...	...
3,796	251	212	1,979	2,049	528	...	13,890	5,540	9,111	4,021	...	33
4,985	213	343	1,864	1,969	668	...	14,965	5,781	9,026	3,884	...	59

STATEMENT showing the Appellate business of the Courts of the Central Provinces, for the year 1877.

Courts.			For disposal.				Disposed of.												Pending.		Number of cases in which objections under Section 161, Act X of 1877 were.		Average duration of each appeal tried.
									Heard *ex parte*.					Contested.									
									Confirmed.			Reversed.				Reversed.							
			Remaining at close of previous year	Received by transfer from other Provinces.	Instituted or re-admitted.	Total.	Transferred to other Provinces.	Dismissed for default, or under Sections 566, 567, Act X. of 1877.	Without notice to respondent.	After notice to respondent.	Modified.	Without remand under Sec. 562, Act X of 1877.	And remanded under S. 562, Act X of 1877.	Confirmed.	Modified.	Without remand under S. 562, Act X of 1877.	And remanded under S. 562, Act X of 1877.	Total.	Total.	Over four months.	Preferred.	Allowed (because successfully maintained.)	
1			2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
Judicial Commissioner.	Regular Appeals																						
	Special Appeal.	From decrees ordinary..	22	...	333	355	162	...	...	4	1	3	10	49	6	28	66	329	26	...	...	...	26·3
		„ Rent law ...	4	...	32	36	9	...	...	..	...		3	5	...	5	11	33	3	...	...	...	35·
		From orders ...	1	..	24	25	16	1	...	...	...		1	...	...	4	2	24	1	...	...	...	13·5
Commissioners.	Nagpur ...	From decrees ordinary ..	53	...	160	213	...	9	...	16	3	1	...	93	22	24	8	176	37	2	1	1	95·8
		„ Rent law .	45	..	110	155	...	10	...	12	2	2	1	61	11	21	9	129	26	1	3	1	91·5
		From orders ..	2	..	8	10	...	...	...	1	3	..	...	4	1	1	...	10	...	...	...	...	56·8
	Jubbulpore ...	From decrees ordinary ..	39	...	167	206	...	12	...	8	1	2	1	104	10	21	15	174	32	...	1	1	57·
		„ Rent law .	17	...	115	132	...	6	...	7	1	2	4	44	4	14	8	90	42	...	...	...	39·4
		From orders	10	...	30	40	...	7	...	17	...	3	3	2	...	1	...	33	7	...	...	...	139·7
	Nerbudda ...	From decrees ordinary ...	51	...	124	175	...	14	...	3	6	3	...	53	21	10	30	140	35	14	2	1	98·4
		„ Rent law ..	25	...	92	117	...	12	...	9	1	3	...	49	3	10	17	104	13	1	...	...	80·9
		From orders ..	5	..	31	36	...	2	...	...	...	...	...	22	...	6	3	33	3	...	...	...	53·3
	Chhattisgarh ...	From decrees ordinary ...	20	...	111	131	...	4	...	...	..	...	...	48	7	12	11	82	49	...	...	...	81·3
		„ Rent law	14	...	56	70	...	4	...	...	...	..	...	20	2	11	14	51	19	...	...	...	74·7
		From orders ...	2	...	14	16	...	...	...	3	...	...	...	7	...	6	...	16	..	...	...	...	42·8
Total in Courts of Commissioners ...		From decrees ordinary ...	163	...	562	725	...	39	...	27	10	6	1	298	60	67	64	572	153	16	4	3	82·5
		„ Rent law ...	101	...	373	474	...	32	...	28	4	7	5	174	20	56	48	374	100	2	3	1	73·7
		From orders ...	19	...	83	102	...	9	..	21	3	3	3	35	1	14	3	92	10	...	...		82·8

Deputy Commissioners.	Nagpur	From decrees	..	22	...	347	369	...	21	...	5	3	3	..	175	30	58	34	329	40	...	...	...	29·7
		From orders	...	...	...	10	10	...	1	...	...	...	...	...	5	...	1	2	9	1	...	...	...	24·
	Chanda	From decrees	..	3	...	101	104	...	7	...	5	1	1	...	59	10	10	4	97	7	.	...	..	27·9
		From orders	...	...	...	4	4	...	.	..	3	...	...	...	...	...	...	..	3	1	...	...	...	12·3
	Bhandara	From decrees	..	4	...	128	132	...	3	..	8	1	3	...	65	13	31	6	130	2	...	...	...	18·7
		From orders	...	..	...	8	8	...	2	...	...	...	4	...	1	...	1	...	8	...	...	...	...	11·3
	Wardha	From decrees	...	12	...	316	328	...	26	..	49	4	16	1	124	21	71	6	318	10	...	7	..	28·4
		From orders	..	3	...	25	28	...	4	...	2	1	1	..	8	...	5	6	27	1	...	...	...	24·5
	Balaghat	From decrees	...	2	...	81	83	...	2	...	9	...	...	1	55	1	7	8	83	...	...	...	...	16·7
		From orders	...	...	...	...	...	...	..	...	...	...	...	...	...	...	...	...	...	..	..	...	...	...
	Jubbulpore	From decrees	...	4	...	140	144	...	4	...	5	1	1	...	80	10	15	19	135	9	...	...	...	23·
		From orders	..	...	...	3	3	...	1	...	..	...	...	1	...	...	...	..	2	1	...	...	...	1·
	Saugor	From decrees	...	9	..	207	216	...	19	...	15	7	6	1	106	22	24	6	206	10	...	5	1	19·5
		From orders	...	1	...	14	15	...	3	...	1	..	2	...	7	...	2	...	15	..	..	...	...	21·3
	Damoh	From decrees	...	3	...	96	99	...	6	..	...	1	...	...	54	7	15	13	96	3	.	...	...	17·5
		From orders	...	...	.	...	...	...	...	...	...	...	...	...	...	...	.	...	.	...	...	...	...	...
	Seoni	From decrees	...	3	...	95	98	...	1	...	8	...	1	...	51	5	20	6	92	6	..	...	...	12·4
		From orders	..	...	...	4	4	..	1	..	..	...	...	1	1	...	1	...	4	...	...	...	...	11·2
	Mandla	From decrees	...	1	...	34	35	...	2	...	6	...	...	...	18	2	6	1	35	...	...	...	...	16·4
		From orders	...	...	...	...	...	...	...	...	...	...	..	...	...	...	...	..	...	...	..	..	...	...
	Hoshangabad	From decrees	...	56	...	349	405	...	28	...	37	3	5	5	207	15	45	20	365	40	...	...	...	38·8
		From orders	...	5	..	40	45	...	...	...	9	2	1	7	13	...	3	2	37	8	...	...	...	33·4
	Betul	From decrees	...	5	...	130	135	...	10	...	6	2	4	...	62	6	19	12	121	14	...	...	...	18·
		From orders	...	..	...	1	1	...	...	...	...	...	...	...	1	...	...	...	1	...	...	...	...	27·
	Narsinghpur	From decrees	...	28	...	333	361	...	19	...	22	1	4	3	208	12	30	43	342	19	...	...	...	30·8
		From orders	...	5	...	33	38	...	6	..	4	2	2	1	16	...	5	2	38	..	..	...	...	27·6
	Chhindwara	From decrees	...	18	...	148	166	...	8	..	10	1	2	...	83	10	26	20	160	6	...	...	...	27·4
		From orders	...	...	...	1	1	...	...	...	...	...	...	...	1	...	...	...	1	...	...	...	...	79·
	Nimar	From decrees	...	5	..	208	213	...	9	...	2	..	4	...	136	23	25	5	204	9	...	...	...	19·8
		From orders	...	2	...	5	7	...	2	...	...	...	2	...	2	...	1	...	7	...		...	...	43·5
	Raipur	From decrees	...	5	..	182	187	...	13	...	...	...	...	...	97	11	25	27	173	14	..	..	...	17·8
		From orders	...	...	...	9	9	...	...	...	...	...	...	..	2	...	2	5	9	...	...	...	...	15·1
	Sambalpur	From decrees	...	4	...	115	119	...	5	...	2	1	5	...	44	10	25	7	99	20	...	...	...	31·4
		From orders	...	...	...	6	6	...	...	..	...	...	.	...	2	...	1	..	3	3	...	...	...	26·5
	Bilaspur	From decrees	...	2	...	82	84	...	9	..	6	1	4	2	31	2	4	14	73	11	...	...	...	32·4
		From orders	...	...	...	...	...	...	...	...	...	...	..	...	...	...	...	...	..	...	...	...	...	...
	Upper Godavari	From decrees	...	...	...	1	1	...	...	...	...	.	..	...	...	1	...	...	1	..	...	...	...	9·
		From orders	...	..	..	...	...	...	...	...	...	...	...	...	...	..	...	...	...	...	...	..	..	...
Total in Courts of Deputy Commissioners		From decrees	...	186	...	3,093	3,279	...	192	...	195	27	59	13	1,655	211	456	251	3,059	220	..	12	1	26·1
		From orders	...	16	...	163	179	...	20	...	19	5	12	10	59	. .	22	17	164	15	...	...	...	26·1
Total in all Courts		From decrees ordinary	...	371	...	3,988	4,359	162	231	...	226	38	68	24	2,002	277	551	381	3,960	399	16	16	4	34·3
		From Rent law	...	105	...	405	510	9	32	...	28	4	7	8	179	20	61	59	407	103	2	3	1	70·6
		From orders	...	36	...	270	306	16	30	...	40	8	15	14	94	1	40	22	280	26	...	...	...	43·6
		Grand Total		512	...	4,663	5,175	187	293	...	294	50	90	46	2,275	298	652	462	4,647	528	18	19	5	38·

No.

STATEMENT of Process Fees

COURTS.		(1) Fees levied. In separate detail for each Court. On processes directed to be served by European bailiff (Special Rule II). At Rs. 2 rate.		On other processes issued. At Re. 1 rate.		At As. 8 rate.		At As. 4 rate.		For assisting in distraint (Special Rule III).	Additional Fees. Under Special Rule IV.		Under Special Rule V.		Grand total of fees levied (Columns 2 to 9).	
1		2	3	4	5		6		7	8		9		10	
		Rs.	Rs.	Rs.	Rs.	a.	Rs.	a.	Rs.	Rs.	a.	Rs.	a.	Rs.	a.
Nagpur	Civil	220	210	6,640	4,502	8	16,266	4	...	31	12	29	8	27,894	0
	Revenue	...	...	67	103	0	746	8	...	...	..	...	...	916	8
Chanda	Civil	...	...	881	1,145	8	2,401	12	...	5	4	2	4	4,435	12
	Revenue	...	...	24	39	8	121	8	...	0	8	...	..	185	8
Bhandara	Civil	...	..	501	1,167	8	2,651	12	...	...	...	..		4,323	4
	Revenue	...	...	36	88	0	265	4	..	...	...	...	...	389	1
Wardha	Civil	...	...	2,310	1,985	8	6,016	0	...	28	4	...	..	10,339	12
	Revenue	...	...	76	55	8	745	4	...	..	..			876	12
Balaghat	Civil	...	...	207	674	8	1,323	0	...		...	..	...	2,204	8
	Revenue	...	...	49	57	8	114	8	...	...	..	...		221	0
Jubbulpore	Civil	38	89	1,617	849	8	4,579	12	.	161	0	2	12	7,337	0
	Revenue	...	...	158	91	8	763	8	...	24	0	18	8	1,055	8
Saugor	Civil	...	...	1,569	1,584	0	3,945	4	..	21	4	6	0	7,125	8
	Revenue	...	...	172	183	0	547	12	...	...	..	...	...	902	12
Damoh	Civil	...	...	468	579	8	1,668	0	...	103	8	...	...	2,819	0
	Revenue	..	...	81	92	0	209	12	.	12	4	...	...	395	0
Sconi	Civil	...	...	483	394	0	1,371	0	...	...	...	...		2,248	0
	Revenue	..	...	59	39	8	174	0	...	...	...	...	.	272	8
Mandla	Civil	...	...	66	116	8	552	4	...	...	...	...	...	734	12
	Revenue	...	...	14	5	8	37	0	...	...	...	...	...	56	8
Hoshangabad	Civil	...	...	3,353	2,664	8	6,659	4	...	201	4	...	...	12,878	0
	Revenue	...	...	45	24	8	325	4	...	...	...	...	...	394	12
Betul	Civil	...	...	1,328	1,217	8	2,438	12	...	18	4	.	...	5,002	8
	Revenue	...	...	75	48	0	185	4	..	0	12	...	.	309	0
Narsinghpur	Civil	...	.	3,174	2,418	8	4,551	0	...	60	8	25	4	10,229	4
	Revenue	...	...	275	169	8	601	8	...	15	0	...	...	1,061	0
Chhindwara	Civil	...	...	757	1,434	0	3,066	4	...	18	4	...	...	5,275	8
	Revenue	...	...	40	53	8	179	4	...	...	...	..	...	272	12
Nimar	Civil	...	...	1,492	2,009	0	4,890	8	...	27	8	...	...	8,419	0
	Revenue	...	...	30	60	8	160	12	...	...	...	...	...	251	4
Raipur	Civil	...	...	987	1,156	8	3,047	12	...	...	...	...	..	5,191	4
	Revenue	...	...	75	83	8	216	4	...	...	...	...	...	374	12
Sambalpur	Civil	...	...	353	458	8	1,346	0	...	8	0	0	8	2,166	0
	Revenue	...	...	50	41	0	388	4	...	...	...	...	...	479	4
Bilaspur	Civil	...	...	652	425	8	1,911	0	...	1	4	...	...	2,989	12
	Revenue	...	...	94	46	8	310	12	..	...	...	...	...	451	4
Upper Godavari	Civil	...	..	14	10	8	73	4	...	...	...	...	...	97	12
	Revenue	...	..	...	...	...	...	...	...	...	...	...	...	...	.
	Civil	958	900	26,955	702	8	68,758	12	...	686	0	60	4	1,21,710	8

V.

for the year 1877.

(2) Charges.												
In separate detail for each Court or set of Courts having a joint establishment.									Collectively for the Province.			
Naib-Nazirs.		Peons.							Contingencies.			
No.	Total salary.	Salary of European baliff.	1st Class at Rs. 10. Number on last day	1st Class at Rs. 10. Total salary.	2nd Class at Rs. 8. Number on last day.	2nd Class at Rs. 8. Total salary.	3rd Class at Rs. 6. Number on last day.	3rd Class at Rs. 6. Total salary.	Heads of charges, *e. g.*, process forms, registers, other stationery, official postage, servers' badges, furniture, &c.	Charge under each head.	Grand total of all charges (Columns 12, 13, 15, 17, 19 and 21).	Remarks, as (1) Number of processes re-issued without charge (Special Rule VI).
11	12	13	14	15	16	17	18	19	20	21	22	23
	Rs.	Rs.		Rs.		Rs.		Rs.		Rs.	Rs.	
6	1,834	720	15	1,774	9	843	107	7,387	Binding, printing, stationery and official postage.	548	13,106	1,030
2	360		1	117	4	358	10	1,447	Badges and postage ..	41	2,323	35
2	360		1	303	2	249	11	1,715	Official postage .	34	2,661	13
4	682		3	314	4	339	37	2,290	Badges, binding and official postage.	185	3,810	114
1	180	...	1	120	1	96	14	991	Badges and binding ...	10	1,397	9
2	420	720	3	672	1	346	17	2,276	Postage, &c. ...	81	4,515	...
3	659	...	3	342	4	296	41	2,892	Printing, official postage and contingencies.	189	4,378	168
2	418	.	3	329	2	130	2	1,132	Book-binding and official postage.	24	2,033	4
1	180	...	1	228	1	88	8	998	Ditto ...	...	1,494	3
	...	.	1	95	..	...	4	623	Ditto .	7	725	3
4	772	...	9	1,076	2	192	35	4,100	Stationery, postage and badges .	222	6,362	32
2	419	...	4	444	2	185	30	2,021	Stationery, postage and printing	33	3,102	29
3	596	..	4	478	5	559	23	2,888	Binding and postage ...	51	4,572	2
2	420	...	3	426	2	189	14	1,684	Ditto ...	19	2,738	278
2	422	...	6	703	1	97	24	1,887	Stationery and official postage ..	141	3,250	39
1	240	...	2	240	1	93	34	2,293	Binding and postage ..	14	2,890	26
..	...	...	2	120	2	96	9	726			942	18
2	360	...	2	236	2	181	14	1,350			2,127	169
.	...	...	...	.	...	...	1	87			87	
39	8,322	1,440	64	8,017	45	4,337	435	38,787		1,599	62,502	1,972

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No. 1290
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FROM

LINDSAY NEILL, ESQUIRE,

OFFG. SECRETARY TO THE CHIEF COMMISSIONER,

Central Provinces.

To

THE REGISTRAR,

JUDICIAL COMMISSIONER'S COURT,

Central Provinces.

Dated Nagpur, the 18th March 1879.

SIR,

I am directed to acknowledge your report on the working of the Courts of Civil Judicature during the year 1878. The report is dated the 28th February but it did not reach the Chief Commissioner in print till the 12th instant. In a letter dated 11th instant you observe that the delay in submitting the annual report has been due to the want of punctuality, especially on the part of the Commissioners of the Chhattisgarh and Jubbulpore Divisions. The report from the Commissioner of Chhattisgarh reached you only on the 9th instant; that from the Jubbulpore Division had not reached you up to the 11th. The reports from District officers, except from Raipur, reached you in good time, and the reports from the Commissioners of the Nagpur and the Nerbudda Divisions reached you on the 12th February. The Chief Commissioner's thanks are due to the Judicial Commissioner for the promptitude with which under adverse circumstances he has prepared the year's report. As the Judicial Commissioner has very fully analyzed the prominent features in the year's work the Chief Commissioner's remarks will extend to no great length.

Number of Courts open.

2. At the close of 1878 there were 146 Courts open against 141 at the close of 1877. The additional Courts opened during the course of the year were that of the Additional Commissioner, who hears appeals from the Jubbulpore Division and certain districts of the Nerbudda Division; three Courts of Tahsildars and two Courts of Naib-Tahsildars. On the other hand, owing to the reduction of the Upper Godavari district to a Sub-division of the Chanda district, one Court of the Deputy Commissioner is shown as closed.

Relief afforded to certain Deputy Commissioners.

3. In paragraphs 4, 5 and 6 you show that relief has been accorded to certain Deputy Commissioners who were over burdened with civil work to the detriment of their executive efficiency. The Deputy Commissioners to whom relief has been given are the Deputy Commissioners of Nagpur,* Wardha, Raipur and Hoshangabad. The relief has taken the shape of investing the Senior Assistant Commissioners with appellate powers. The relief afforded has been adequate, and perhaps in Hoshangabad too many officers exercise appellate powers, for in that district there are besides the Deputy Commissioner, the Assistant Commissioners at Hoshangabad and Pachmarhi and the Extra-Assistant Commissioner at Harda who hear appeals. In this district while original suits have fallen off appeals have increased, apparently because of the increased facilities afforded for appealing. It was, however, never intended to make appealing more easy, but only to relieve the Deputy Commissioner of the duty of hearing appeals, and it may perhaps be desirable to retrace our steps and only allow the Assistant Commissioner at Hoshangabad to exercise appellate powers.

*He enjoyed relief in previous year also.

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Separation of civil judicial administration in the Nagpur district.

4. The Judicial Commissioner notices at some length the plea of the Deputy Commissioner of Nagpur for a complete separation of the civil judicial administration of his district. During the year under report the Deputy Commissioner disposed of 47 appeals, against 276 disposed of by the Senior Assistant Commissioner. The Deputy Commissioner would like to be entirely relieved of hearing appeals, trying original suits* and supervising the Courts within his jurisdiction. A similar plea was urged last year, and the Chief Commissioner in objecting to the Senior Assistant Commissioner having undivided control of the civil judicial administration of the district said "one very obvious reason why he should "not have such control is because he cannot control the movements of other "Assistant Commissioners, Extra-Assistant Commissioners or Tahsildars who "have executive as well as civil work to do, and are at times away from head-"quarters for considerable periods. The regulating of this absence from "head-quarters would naturally rest with the Deputy Commissioner, and "it is he who must arrange for the transfer of the cases on their files "to some other officers. Again the Assistant Commissioner would gene-"rally always be at head-quarters. He ordinarily has little leisure to go on tour, "and probably little or no executive work to take him out, and would therefore "have few opportunities of supervising subordinate Courts and ascertaining the "opinion of the public regarding their work." These objections the Deputy Commissioner meets by saying that he would always give the Senior Assistant Commissioner notice of his intention to send out officers exercising civil powers on executive duty; that the Senior Assistant Commissioner as Registrar under the Registration Act (III of 1877) has to make periodical inspections of Registration offices (which are also offices of Civil Courts); that the Senior Assistant Commissioner has *frequently* a good deal of leisure, while he, the Deputy Commissioner, is *always* overburdened; and lastly, that sooner or later the civil judicial work in the more important districts must be separately arranged for. The Judicial Commissioner does not concur in the opinion of the Deputy Commissioner that the entire supervision of the Courts of the principal district in the Province should be entrusted to an officer of the rank of an Assistant Commissioner, and says "there is, however, nothing to prevent the Deputy "Commissioner of Nagpur from utilizing the services of his Senior Assist-"ant Commissioner in examining records and inspecting Courts as well as "in hearing appeals, provided that he does not lose sight of his own responsibility "for the good working of the Courts in his district." The Chief Commissioner agrees in the view taken by the Judicial Commissioner, whose opinion in a matter of this kind would generally be final, and the Chief Commissioner would further remark that any separation of civil and executive functions should commence with Courts of original jurisdiction, not with appellate and supervising Courts.

* He disposed of only one during 1878.

The desire of the Deputy Commissioner of Nagpur is analogous to that of the Commissioner of the Nerbudda Division who some months ago suggested that the periodical returns of civil business and of those districts of his Division whence appeals lay to the Additional Commissioner should be submitted to the Additional Commissioner. The suggestion was negatived, because its general effect would be to dissociate the Commissioner from the administration of civil justice and so would weaken his position and loosen the connection between the judicial and executive functions of the Administration, which has heretofore been held to be one of its important features.

Supply of civil judicial forms.

5. The Courts seem generally well supplied with civil judicial forms; but the Inspector General of Gaols complains of the inconvenience caused to the jail presses by constant emergent demands for forms, and you say that officials have apparently found it easier to make a requisition for a round number of forms than to enquire what forms were actually required, and in what numbers. The recklessness shown in making large indents has been on several occasions noticed, and indenting offices should certainly have the mild restraint imposed upon them of showing in parallel columns the amount consumed in one year and the amount

indented for. An instance of an exorbitant demand for forms under the Arms' Act (XI of 1878) recently came before the Chief Commissioner.

Number of cases instituted and re-instituted.

6. The total number of cases instituted and re-instituted during the year was 79,783, a decrease of 8,701 on the figures of 1877. The decrease is very general, and markedly so in the following districts :—

	1877.	1878.
Wardha	6,400	4,549
Damoh	1,940	1,500
Mandla	772	557
Hoshangabad	8,344	7,175
Betul	3,216	2,516
Nimar	7,566	6,493
Narsinghpúr	5,146	4,351
Chhindwara	3,969	3,200

In all these districts except Wardha and perhaps Nimar the crops were poor and the conclusion has very generally and probably rightly been drawn that litigation experienced a check because the people were poor, and because creditors did not care to obtain decrees at a time at which it would be difficult or impossible to realise them. The Judicial Commissioner has said all that it is profitable to say on the subject of fluctuations in the institution of suits. As has been remarked in previous reports and reviews, much of the litigation in the Province is due to the poverty of the people, and a bad agricultural season coupled with abnormally high prices would probably at first check litigation and then stimulate it. Creditors at such a time would not be able to realize, but the poorest would become still further indebted, and so with a better out-turn in the coming year we may except litigation to increase. The general tendency has always been to an increase, and it is only in exceptional years that the ordinary growth is checked or retarded.

In the Wardha district the Deputy Commissioner attributes the decrease to the good harvest which was there reaped and to the high prices of agricultural produce, by which means agriculturists were able to pay their debts. The Commissioner of the Nagpur Division offers a plausible explanation of the general decrease in stating that in 1877 and the earlier portion of 1878 there was great activity of trade, and that people pushed on current speculations as more profitable business than realizing older outstandings. The plausibility of the statement lies in our knowledge of the immense impetus imparted in 1877 and 1878 to the grain trade. Traders thronged the railway stations to get their goods despatched, and probably many went there who in ordinary years would have been prosecuting suits in our Courts. Time will show whether this cause operated to reduce the number of institutions in 1878.

In the Betul district the Deputy Commissioner explains that the bulk of the decrease occurred because there was delay in investing officers who were appointed to try civil cases with the requisite powers. The Commissioner of the Nerbudda Division and the Judicial Commissioner rightly remark that this was a preventible cause which a little forethought and arrangement would have obviated. It should be a standing rule that when owing to officers falling sick or going on leave proposals for filling their places are made, these proposals be accompanied with draft notifications stating precisely the powers which the newly appointed officers should exercise and with which they should be invested. It is impossible for the Chief Commissioner to conjecture the precise powers which should be conferred on each officer. In the Nimar district some special cause seems to have been at work to which is due at least some part of the decrease, and this will be referred to later on.

Value and character of litigation.

7. Classified according to their value it is seen that of 78,586* suits disposed of, 14·8 per cent did not exceed Rs. 5 in value; 36·5 per cent were valued for sums between Rs. 5 and Rs. 20; 26·5 per cent were valued for sums between Rs. 20 and

* Exclusive of 5 disposed of by the Commissioner, Nagpur Division.

Rs. 50; 11·6 per cent were valued for sums between Rs. 50 and Rs. 100; 9·1 per cent for sums between Rs. 100 and Rs. 500; and only 1·5 per cent for sums in excess of Rs. 500. The opinion that it is owing to the agricultural distress of the year and the poverty of the people that suits have decreased in number is corroborated by the fact of the large decline in suits of the lowest value.

The Chief Commissioner agrees with the Judicial Commissioner* that "it is "quite in accordance with antecedent experience that a "general decrease in the litigation of any given year "should leave its most distinct effects on the lowest classes of suits. It has been "remarked that they are more susceptible of variations than the higher classes. "And as last year it was pointed out that the general tendency to an increase "then shown was proportionately most marked in suits of the lowest value, the "converse of the proposition may be said to hold good for the present year.'

* Paragraph 15 of report.

The bulk of the suits brought were for money due on bond or other contract, such suits forming 77·4 per cent of the whole; this percentage is smaller than in 1877. Suits for the recovery of moveable property or its value, suits for damages, for immoveable property, and suits for rent not falling under the Rent Act, all show a tendency to increase. Of the suits for money, 46·7 per cent were on written obligation, and 16·1 per cent on unwritten obligation. The proportion of suits on written obligation remains about the same as in 1877. The proportion of suits on unwritten obligation has decreased by over 2 per cent. This decrease is natural, for, as has already been observed, the suits of the lowest value decreased in the greatest proportion, and it is these suits which are chiefly on unwritten obligation.

Disposal of suits.

3. The suits before the Courts were disposed of in the following proportions by the various classes of Judges :—

By Judges of Small Cause Courts	...	14,967 or 19·1	per cent.
,, Naib Tahsildars	...	24,834 or 31·6	,,
,, Tahsildars	...	26,142 or 33·3	,,
,, Assistant Commissioners	...	12,478 or 15·8	,,
,, Deputy Commissioners	...	165 or ·2	,,

In the Small Cause Courts alone has there been a greater number of cases for disposal than in any previous year, and the percentage of business disposed of has considerably increased. It seems unquestionable that the increased resort to Courts of Small Causes has been occasioned by the extended jurisdiction conferred on them by the new Code of Civil Procedure (Act X. of 1877.) This is shown in a practical manner by the Judge of the Kamptee Small Cause Court. The institutions in his Court rose from 3,189 in 1877 to 3,493 in 1878, and of this increase of 304 cases, in no less than 294 cases were the defendants resident outside of the Cantonment, *i. e.* were persons who in the preceding year would not have been within the Court's jurisdiction.

Though the number of Courts presided over by Naib-Tahsildars increased, the number of suits disposed of by them fell off because the total number of suits for disposal was smaller, and the decrease was largest in the suits of lowest value. The relief which these Courts of Naib-Tahsildars afford to previously over-worked Tahsildars is very great. Last year it was said that relief was greatly needed by the Tahsildars in the Nagpur district, and the relief afforded can be estimated by a comparison of the figures showing the cases disposed of by Naib-Tahsildars and Tahsildars in the Nagpur district for the two years :—

		By Naib-Tahsildars.	Tahsildars.
Nagpur ...	1877 ...	4,804	3,765
	1878 ...	4,660	2,788

These figures do not however exhibit the total relief afforded to the Tahsildars of Katol, Ramtek and Nagpur, for in the middle of the year the Court of a purely Civil Tahsildar was located at Saoner which disposed of no less than 1,358 cases, which would otherwise have been decided at Ramtek, Katol and Nagpur.

There are grounds then for believing that the appointments of Naib Tahsildars have succeeded in materially diminishing the strain which has hitherto been borne by Tahsildars, and that these latter have now adequate time to devote to their executive duties.

Result of trials.

9. The general results of trials were:—

In	453 suits	or ·6	per cent	the plaints were rejected or returned,
„	19,961 „	or 25·4	„	decrees passed on confession,
„	15,221 „	or 19·4	„	dismissal was ordered in default of appearance,
„	9,817 „	or 12·5	„	compromises were effected,
„	9,657 „	or 12·3	„	decrees passed *ex parte*.
„	891 „	or · 1·1	„	leave to withdraw was granted, and
„	550 „	or ·7	„	dismissal was ordered on default of appearance of plaintiff.

The proportion of uncontested cases was 71·4, and in contested cases the result was that judgment in 12 per cent was given for the plaintiff in whole; in 8·3 per cent for the plaintiff in part and in 7·7 per cent for the defendant in whole. The results of trial are very similar to what they were last year, except that there is an increase of 1 per cent in the uncontested cases and a proportionate decrease in the number of contested cases.

Irregular procedure in some districts.

10. In paragraphs 24 to 34 you give instances which show that in some districts procedure is uneven where it should be smooth, and is influenced by personal idiosyncracies when it should be uniform. In several districts where dismissals for default were numerous an examination of cases so disposed of showed that the Judges acted harshly or negligently; cases disposed of on confession have come apparently to the Judicial Commissioner's notice in which he has had reason to doubt whether the defendants really understood the whole claim to which their confession was recorded; suits have been disposed of *ex parte* because adequate time was not given to defendants to put in appearance; commissions have been issued for local investigation or for the purpose of examining accounts with the result that the Courts either delegated their own judicial functions to the Commissioners* or practically protracted the duration of such cases by not instructing the Commissioners of the exact nature of the points which were referred to them and having accordingly to make a second reference; lastly it seems pretty evident that in the district of Nimar the provisions of the law allowing of the payment of decrees by instalment have been worked as an instrument to deter creditors from instituting suits and obtaining their just rights.

* The Commissioner Chhattisgarh Division has remarks to the same effect.

Constant and close scrutiny of the periodical returns and inspection of the cases of a Court showing any abnormal tendency will alone succeed in securing proper procedure free from the prejudice or personal bias of Judges.

Duration of cases.

11. In last year's report the Judicial Commissioner quoted with approval certain remarks made by the Commissioner of the Nagpur Division on the subject of the duration of civil suits. In the present year the Commissioner recurs to the subject and illustrates his remarks that in the attempt to show short durations the Courts really create long ones, and that at much inconvenience to the people. The lesson which the Courts should lay to heart is well stated by the Judicial Commissioner:—

"It cannot be too clearly understood by the Courts that it is not necessarily the fact of a long duration, but what a long duration in the majority of instances implies which the Officiating Judicial Commissioner has had to condemn. In most of the cases in which continued high durations have called for notice, the explanations submitted have carried their own condemnation. What the Officiating Judicial Commissioner wishes to see, is an intelligent desire to secure such promptitude in the disposal of work as is compatible with the convenience of the

public, showing itself in care to fix reasonable dates for hearing, and in method and exactitude in taking up cases and making adjournments. Numerous hearings and frequent postponements almost always indicate defective arrangements and imperfect control over the working of subordinate Courts. Many of these defects may easily be avoided by greater system and more consideration for the public on the part of the Judges themselves. For others again the Lower Courts, and especially those of the Tahsildars and Naib Tahsildars, are not altogether responsible. The Officiating Judicial Commissioner finds it necessary constantly to remind Deputy Commissioners that those of their subordinates who are entrusted with judicial as well as with executive functions, should not be ordered away from their head-quarters without sufficient notice, except in cases of extreme urgency."

The average number of days required for the disposal of every contested suit has been 31·8 days and for every uncontested suit 21 days. The special reasons for the increased durations have been noticed by you. The number of hearings was the same in 1878 as in 1877 (2·1 per cent.)

Appellate work.

12. Appeals to Deputy Commissioners from decrees were 2,831, and from orders 188; and contrasted with the figures of 1877 appeals from decrees were less numerous by 262, and appeals from orders were more numerous by 25. The districts in which appeals to Deputy Commissioners were numerous or increased largely on last year's figures are Hoshangabad, regarding which remarks have already* been made, Raipur and Bilaspur. At Raipur the increase is one of 47 cases, and in respect to them there seems no special explanation, while at Bilaspur the increase† is due to the lower powers exercised during the year by the Extra-Assistant Commissioner. Appeals from his decisions lay to the Deputy Commissioner in 1878, whereas in 1877 they lay to the Commissioner of Division. In the Courts of Deputy Commissioners in 55 per cent of the appeals the decree of the lower Court was upheld, in 17 per cent the decree was reversed and in 7 per cent it was modified; in 11 per cent the cases were remanded for retrial and in 10 per cent the cases were dismissed for default. The districts which show high percentages of disposals in particular ways are the following:—in Damoh, Seoni, Betul and Nimar the percentages of appeals confirmed are high, viz. 77, 74, 65 and 64; in Bhandara, Wardha, Mandla and Chhindwara the percentages of reversal are high, viz. 22, 20, 24 and 21; in Bhandara, Seoni, Nimar and Raipur the percentages of cases modified are high, viz. 14, 12, 10 and 10; the percentages of cases remanded for trial are high in Hoshangabad 18 and Raipur 14; while percentages of dismissals for default are high in Bhandara 14, Balaghat 16, Saugor 14, Betul 15, Raipur 17, Sambalpur 26 and Bilaspur 16.

* Para 3.

† 104.

In the districts of Raipur, Sambalpur, and Bilaspur cholera was prevalent during a great part of the year, and the existence of disease probably accounts for the large percentages of appeals dismissed for default.

The appeals to Commissioners—		
from decrees of Civil Courts were	...	559
under the Rent Act	...	379
from orders	...	91
And the number decided was—		
by the Commissioner, Nagpur Division	..	248
,, ,, Jubbulpore do.	..	172
,, ,, Nerbudda do.	...	217
,, ,, Chhattisgarh do.	..	182
,, Additional Commissioner Jubbulpore and Nerbudda Divisions	...	368

The percentage of appeals affirmed by the Commissioners was 52. It was highest in the Court of the Commissioner Jubbulpore, 63; and lowest in that of the Commissioner Chhattisgarh, 36. The Commissioner, Nagpur Division, modified the largest percentage of appeals and made the fewest remands for retrial. Dismissals for default were highest in the Courts of the Commissioners of the Nerbudda and Chhattisgarh Divisions.

13. The decrease in ordinary suits has not been attended by a similar decrease in appeals to the Courts of the Commissioner, and it is probable that with the greater facilities provided for appellants by the establishment of the Court of an Additional Commissioner for the Jubbulpore and Nerbudda Divisions appeals to that Court will increase.

14. In the Judicial Commissioner's Court 507 appeals were disposed of as follows:--In 282 cases (or 56 per cent) applications for special appeal were rejected, or in other words the action of the lower Appellate Court was upheld; 5 appeals (or 1 per cent) were dismissed for default; 75 cases (or 15 per cent) were remanded for trial; in 11 cases (or 2 per cent) the decree of the lower appellate Court was modified; in 71 cases (or 14 per cent) such decree was reversed; and in 63 cases (or 12 per cent) it was affirmed. Altogether the percentage of confirmations in the several classes of appellate Courts stand thus :—

Judicial Commissioner's Court	...	68
Commissioners' Courts	...	52
Deputy Commissioners' Courts	...	55

15. The duration of appeals in the Judicial Commissioner's and Commissioners' Courts were :—

Judicial Commissioner's Court	..	43·4 days.
Commissioner, Nagpur ,,	...	63·4
Commissioner, Jubbulpore ,,	...	95·1
Commissioner, Nerbudda ,,	...	46·9
Commissioner, Chhattisgarh ,,	...	91·6
Additional Commissioner, Jubbulpore and Nerbudda Divisions	...	35·7

The high duration in the Court of the Commissioner, Chhattisgarh, is due to the fact that in the latter part of 1877 and the early part of 1878 the Officiating Commissioner (Colonel Glasfurd) planned a lengthy tour without properly arranging for the hearing of appeals. In the Jubbulpore Division the Commissioner exercised civil appellate powers only during the early part of the year when he was much away on tour, and so durations for his Court seem higher than they would probably have been had he heard appeals during the rains.

16. The number of applications for execution of decree has decreased, and such decrease seems to have followed the common decrease in the year's litigation.

17 The Chief Commissioner has now completed his remarks on the working of the Civil Courts during the year. He is glad to find that the appointment of an Additional Commissioner has afforded relief to the Commissioners of the Jubbulpore and Nerbudda Divisions; that the investiture of certain Assistant Commissioners with appellate powers has diminished the pressure on Deputy Commissioners, and that the larger employment of Naib-Tahsildars has in a considerable manner freed Tahsildars from the drudgery of trying civil suits.

The Chief Commissioner is further glad to learn that the statistical returns are being put to a proper use and greater attention is paid to aberrations from normal averages.

18. In conclusion the Chief Commissioner desires me to thank the Judicial Commissioner for the full report he has submitted regarding the working of the Courts of Civil Judicature, and to record his belief that the strict and close watch maintained by the Judicial Commissioner over the Courts is reflected in the better action and more regular working of the Courts.

I have the honor to be,

Sir,

Your most obedient Servant,

LINDSAY NEILL,

Offg. Secretary.

No. 366.

FROM

THE REGISTRAR,

JUDICIAL COMMISSIONER'S COURT,

Central Provinces.

TO

THE SECRETARY TO THE CHIEF COMMISSIONER,

Central Provinces.

Dated Nagpur, the 28th February 1879.

SIR,

I have the honor to submit the Judicial Civil Statements* for the year 1878 with the following remarks :—

*Prescribed.	Additional.
B 1.—Tribunal Statement.	I.—Description value.
B. 6.—Number and description of Suits.	II.—Trial.
B. 7.—Value of Suits	III.—Execution.
B. 8.—Result of trials.	IV.—Appeal.
B. 9.—Appeals.	V.—Process.
B. 10.—Execution of Decrees.	
B. 11.—Juries and Assessors.	

A.—THE TRIBUNALS [B 1.]

2. The number of Civil Courts in these Provinces open at the close of 1877 and 1878, respectively, are compared in the margin. Exclusive of the above, the present Senior Assistant Commissioner at Nagpur continues to exercise the powers of a Deputy Commissioner under Section 16 of the Central Provinces Courts' Act.

	1877.	1878.
Courts of the Judicial Commissioner	1	1
Courts of the Commissioner	4	4
Court of the Additional Commissioner	0	1
Courts of the Deputy Commissioner	19	18
Courts of the Assistant Commissioner	35	35
Courts of the Tahsildar	48	51
Courts of the Naib Tahsildar	28	30
	135	140
† Courts of Small Causes in Cantonments	4	4
Courts of Small Causes in Nagpur and Jubbulpore	2	2
Grand Total	141	146

3. A further addition has been made to the strength of the Courts during the year, which does not appear from the statement in the margin. Not only has the strength of the Appellate Courts been increased by the appointment of the Additional Commissioner, who takes up the Civil Appellate work from the Jubbulpore division and from certain districts in the Nerbudda division; but the Senior Assistant at Hoshangabad, the Assistant Commissioner at Pachmarhi, and the Extra-Assistant Commissioner at Harda in the Hoshangabad district, the Assistant Commissioner at Wardha, and the Assistant Commissioner at Raipur, have been invested with the powers of a Deputy Commissioner, under Section 16, Act XIV. of 1865. On the other hand the decrease in the Courts of Deputy Commissioners is due to the fact that the Upper Godavari has been incorporated with the Chanda district, and has, therefore, ceased to exist as a separate district. The increase in original Courts is a real increase. A new Tahsildar has been appointed for Hinganghat in the Wardha district; and a Judicial Tahsildar has been appointed at Saoner in the Nagpur district. Three new Judicial Naib Tahsildars have also been appointed.

† In each of the Courts of Small Causes of Nagpur and Kamptee, the Registrar sits as a second and separate Judge or Court.

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4. It was pointed out last year that the Tahsildar's Courts at Saosar in the Chhindwara district, and at Katol and Ramtek in the Nagpur district were overworked. Relief has now been given to all these Courts; at Saosar by the appointment of a Judicial Naib Tahsildar; and at Katol and Ramtek by the establishment of the Court of a Judicial Tahsildar at Saoner. This Court is situated in the Katol Tahsil within a few miles of the Ramtek border, and has a local jurisdiction extending over the adjoining country, which includes nearly equal portions of the Katol and Ramtek Tahsils, and a small portion of the Nagpur Tahsil. This Court was only open for half the year, but disposed of 1,358 cases; and there has been a more than corresponding decrease in the institutions in the Katol, Ramtek, and Nagpur Courts, due, in part, to other causes operating during the earlier months of the year, and also, as far as regards Nagpur, to the extended jurisdiction of the Small Cause Court. It is, however, sufficient here to show that complete relief has been granted to those overburdened Courts.

5. The heavy appellate work in certain districts was commented upon last year, and in two of these relief has now been given to the District Courts by the appointments referred to above. The figures below show the number of appeals instituted during the last three years in these districts:—

		1876.	1877.	1878.
Hoshanagbad	...	367	389	400
Narsinghpur	...	316	366	350
Nagpur	...	304	357	337
Wardha	...	246	341	239

In all these districts litigation has fallen off during the year; but the Appellate Courts have not everywhere been affected by the decrease. In Nagpur, where the Senior Assistant Commissioner has exercised the powers of a Deputy Commissioner for several years back, the decrease in appeals has not been very marked. At Wardha, where an Assistant Commissioner has been empowered for the first time to hear appeals, they have decreased in proportion to the decrease in original suits. At Hoshangabad, however, where there have been three Assistants or Extra-Assistants empowered to hear appeals, appeals have considerably increased, although original suits have decreased by 1,169. The explanation given of this by the Deputy Commissioner of Hoshangabad is probably correct. There are now Appellate Courts situated in three separate localities in the Hoshangabad district, and suitors would seem to have availed themselves of the increased facilities afforded to them for preferring appeals. There can be no doubt that in a town like Harda, the presence of an Appellate Court on the spot must lead to the institution of a number of appeals which would not otherwise be preferred at all. Possibly the increase of Appellate Courts may have been carried unnecessarily far in this district. The matter will be borne in mind.

In Wardha the Deputy Commissioner disposed of 142 appeals as against 99 disposed of by the Assistant Commissioner with special powers. In Hoshangabad the Deputy Commissioner disposed of 213 as against 212 disposed of by the Assistants with special powers. At Raipur the Deputy Commissioner disposed of 112, and the Assistant Commissioner 117; and in Nagpur the Assistant with special powers disposed of 276 cases against 47 disposed of by the Deputy Commissioner. In the first mentioned districts the Assistant Commissioners only exercised the special powers during a portion of the year.

6. The Deputy Commissioner of Nagpur recurs to the subject of a complete separation of the Civil Judicial administration of the district:—

"In last year's report I made a suggestion which was not approved of, viz. that the Senior Assistant Commissioner with the powers of a Deputy Commissioner should have the entire control of the Civil Judicial work of the district. The objections taken to this proposal were that the Senior Assistant Commissioner could not control the movements of the subordinate Civil Officers, and that he would not have many opportunities for supervising the subordinate Courts. With reference to these objections, I would respectfully submit that if the Deputy

Commissioner whenever there was time to do so, gave notice to the Senior Assistant Commissioner of his intention to send an officer exercising Civil powers out on executive duty, the arrangements for transferring his work to another officer could be just as well made by the Assistant Commissioner as they are at present by the Deputy Commissioner; the only difference would be that the order to the Tahsildar or other officer to transfer his pending suits or to arrange for adjourning them would come from the Assistant Commissioner instead of from the Deputy Commissioner. The only thing that would be necessary would be that the Deputy Commissioner should communicate as early as possible to the Assistant Commissioner, the necessity of the officer in question proceeding on executive duty, and as the Assistant Commissioner would have *ex-hypothesi* the control over all the Civil Courts, he would have authority to order the transfer of his file to another Civil Court. With regard to the second objection, I would venture to remark that the Senior Assistant Commissioner though he would not go much on regular tour could easily run out once or twice a year to inspect the Courts of each Tahsil. He is in fact obliged at present in his capacity of Registrar to visit the Tahsili registration offices, and he could at the same time inspect the Courts. Moreover the most important part of the work of supervision consists in examining decided cases, which can be done at head-quarters. As to ascertaining the opinion of the people the transfer of the responsibility in Judicial matters to the Assistant Commissioner would not prevent the Deputy Commissioner from listening to complaints and bringing them to notice.

At present while I am always overburdened with work, the Senior Assistant Commissioner has frequently a good deal of leisure which would enable him easily to dispose of all the appeals and properly to supervise the Subordinate Courts. What this district requires is a Civil Judge, distinct from the Magistrate and Collector—in short an assimilation to the 'Regulation' system. The 'Non-regulation' system may do very well for the smaller districts, but it is in my opinion quite unsuited to the circumstances of the Nagpur district, and although I can quite understand that financial considerations render it out of the question to adopt in its entirety the system in force in the older Provinces we should, I think, recognize the fact that the present system does not work satisfactorily in this district, and consider whether it may not be possible to introduce a modified system at least to the extent of having a separate head of the district for Civil Judicial work. We have recently seen the 'Regulation' system in a modified form introduced into the Punjab A similar step is, I believe, about to be taken in Oudh, and that it will eventually have to be adopted in this Province, at least in the more important districts, seems certain. In the mean time, I would strongly urge that either a Civil Judge be appointed to this district or that the Senior Assistant Commissioner should be recognized as being, what in fact he is, to a much greater extent than I am or can possibly be, the head of the district in Civil Judicial matters."

It is for the Chief Commissioner to decide, in the interests of the executive administration, whether the Deputy Commissioner of the Nagpur District has time to devote to superintending the Civil Courts of his district. If he really cannot find the time, without detriment to his other duties, then he must be relieved of Civil Judicial work. But the Officiating Judicial Commissioner cannot recommend that the entire supervision of the Courts of the principal district in the Province should be entrusted to an officer of the rank of an Assistant Commissioner. In seeking to keep down expenditure to a scale suitable for a poor province, we have perhaps already gone as far as we safely can; for it is not always possible to find for the Nagpur district an Assistant Commissioner whose natural judicial qualifications are so high as to compensate for his want of experience; and it cannot be pretended that an Assistant Commissioner's Appellate Court is as strong as that of a good Deputy Commissioner would be. No further measure of reform, in the direction of division of labour, can, it is to be feared, be attained without increased expenditure.

In consequence of increasing litigation we have been obliged to increase the number, and in some instances reduce the remuneration, of subordinate Judges. As was pointed out in last year's report, there may be no great danger of lowering the standard of Judicial administration by these changes, so long as a fairly high degree of qualification is maintained in the supervising Courts; but any measure tending to lessen their efficiency should be watched with great jealousy. There is, however, nothing to prevent the Deputy Commissioner of Nagpur from utilizing the services of his Senior Assistant Commissioner in examining records and inspecting Courts, as well as in hearing appeals, provided that he does not lose sight of his own responsibility for the good working of the Courts in his district.

7. The district reports generally show that the various Courts are properly supplied with copies and translations of the Acts of the Legislature. The difficulty as to obtaining Urya translations for the use of the Sambalpur Courts has now, it is hoped, been overcome. Definite proposals have been submitted to the Chief Commissioner for obtaining the necessary translations from the Bengal Government, and for having such special enactments, as are not applicable to Orissa, translated by the Goverment Urya translator at Cuttack, and published there. The subject, it is understood, has already been referred to the Bengal Government

Law libraries.

The Law books supplied to the Courts are limited to the simple Acts. Expenditure in this direction is always looked upon by the Government of India with a jealous eye, and the orders on this point expressly provide that, except for special reason, law books shall not include "Commentaries or Annotations on Acts of the Legislature." With regard to these orders, the Deputy Commissioner of Narsinghpur remarks that their effect is either to cause the work of the Courts to suffer, or to throw a heavy burden on individuals. He illustrates this position as follows:—"I instance recently having to send for a standard publication 'West and Buhler's Hindu Law,' merely to enable me to read up the subject for one Civil Case of more than ordinary importance. I submit that this is a great hardship, which seems to need some remedy, because nearly all these kinds of books are expensive, and unless provided the judicial decisions of the Courts are liable to become behind the age."

The Officiating Judicial Commissioner has lately found it necessary to call attention to the fact that Civil Courts, especially on questions of Hindu and Muhammadan Law, are in the habit of supporting their decisions by reference to treatises and rulings of insufficient authority, and he is aware that many Courts are imperfectly supplied with essential law books.

In cases, therefore, where good reasons can be given for supplying a district Court with a standard treatise on such a subject as Hindu Law, he will be ready to make a special recommendation to the Chief Commissioner for sanction to the purchase, as he believes that such cases may fairly come within the exemption contained in the rules quoted above.

8. The new Code of Civil Procedure has now been in force for rather more than a year; but, so far as the reports show, it has had no special effect upon the business of the Courts. Although a decrease in the number of suits instituted has been almost universal throughout the Provinces, it has nowhere been attributed to the operation of the new Code; and the Deputy Commissioner of Hoshangabad expressly records his opinion that the decrease of litigation in his district has not been due to any change in law or procedure. The Judge of the Small Cause Court, Nagpur, in his report of last year, was of opinion that there was an impression abroad that there were more impediments in the way of executing decrees than formerly, and that this impression was answerable for the falling off in institutions in his Court during the two last months of 1877. Referring to the same subject in his present report he writes as follows :—.

New Code of Civil Procedure.

> "For some time after it (the Civil Procedure Code) came into operation, the number of institutions indeed decreased, owing, as reported last year, to an idea prevailing that there would be great difficulty in getting decrees executed. But when the procedure became better understood by the people, the institutions again increased, and have steadily increased since the month of April last."

In connection with this may be taken the remarks of the Commissioner, Nagpur. Speaking of the decrease in the Nagpur district, he writes :—

> "The Deputy Commissioner notes too that the decrease in the number of suits mainly occurred in the early months of the year. He is unable, however, to offer any explanation of it. In last year's report I pointed out that in both Nagpur and Wardha there had been a considerable falling off in the number of suits filed in the last two months of the year. Probably the same causes which operated in October and November 1877 continued in operation during the early months of 1878, though what these causes were it may be difficult to say."

It will be seen that neither the Commissioner nor the Deputy Commissioner mentions the Code, but the reason given by the Judge of the Small Cause Court may have a good deal of truth in it.

It is not quite clear whether the Judge is referring to decrees generally, or to decrees of a Small Cause Court in particular; probably to decrees in general. It may be pointed out, however, that the idea, which he speaks of as having been prevalent, was, at any rate so far as regards the decrees of a Small Cause Court, not altogether without foundation. In one important direction the power of executing decrees passed by a Small Cause Court has been very materially curtailed by the present Code of Civil Procedure. A decree of a Small Cause Court can no longer be executed against property outside the jurisdiction of the Court, as the sections of the Code which lay down the procedure "when one Court desires that its decree shall be executed by another," have not been made applicable to Mofussil Courts of Small Causes. This, however, has been ignored —so far as the Judicial Commissioner can discover—by the Courts in these Provinces; but its effect will certainly be to make a Small Cause Court decree less valuable, and therefore, it may be inferred, less sought after than formerly.

Civil Judicial forms.

9. From one district only has there been a complaint made of the tardiness of the Jail presses in supplying vernacular forms indented for. On the other hand the Inspector General of Prisons has found it necessary to make a special representation of the great inconvenience caused to the presses by constant emergent demands for forms. There has, no doubt, been a great deal of laxity as to the manner in which indents for forms have been prepared in district offices. Printed sheets for indents have been drawn up so as to minimize the manual labour in making out lists of Civil forms required; but it may be questioned whether they have proved an unmixed good. Officials have apparently found it easier, in some cases, to fill in these sheets with a requisition for a round number of every form given, than to enquire what forms were actually required and in what numbers.

This was perhaps more particularly the case in one or two indents for English Civil forms; but the very large number of vernacular forms used seems to show a general want of care. Measures are now being matured in correspondence with the Superintendents of the Nagpur and Jubbulpore Jail presses to secure that in future indents shall be drawn up prospectively for fixed periods, and that the forms issued shall be more thoroughly accounted for.

At Sambalpur the difficulty of obtaining a sufficient supply of Urya forms from the Jail press there has been enhanced by the outbreak of cholera, which put an end to all work. The Deputy Commissioner found it possible to substitute Hindi forms in all cases where they were not required to be sent out of the Courts, and thus made himself to a great extent independent of the Local Jail.

Year.	Holidays.		365 days.
	Deduct holidays.		
Summer vacation from 15th May to 15th June ...		31	
Sundays in 11 months ...		48	
Civil Court casual holidays ...		41	120
	Open days ...		245

10. During the year the Courts were open on 245 days as per margin.

The Local bar.

11. The Local bar consists of 2 Barristers-at-law, both of whom reside at Jubbulpore; 2 Attorneys-at-law; and 66 Pleaders, whose local distribution is ordinarily as follows:—

Town.	No.	Town.	No.
Nagpur	14	Damoh	2
Bhandara	2	Seoni	1
Wardha	6	Hoshangabad	12
Hinganghat	1	Harda	1
Arvi	1	Narsinghpur	8
Jubbulpore	8	Burhanpur	1
Saugor	6	Raipur	2
Rehli	1	Total ...	66

7 3 79—20., 147 360

There have been no great changes in the *personnel* of the local bar. One barrister, who was borne on its strength last year, has left the Provinces; and a new Bengali Attorney-at-law of the Calcutta High Court has been admitted to practise. This gentleman's application was only made late in the year, and he has not taken up his residence, so far as is known, in the Provinces. As regards pleaders the year has been one of transition. The Pleaders' Act was extended to these Provinces in September, and the annual October examination of candidates was not held, as there were no rules framed within the meaning of the Act providing for the admission of pleaders. Consequently no new local pleaders have been admitted. There have, however, been two admissions of pleaders from other Provinces.

Speaking of the present pleaders, the Commissioner of the Nagpur Division, says:—"of those who practise, my opinion almost coincides with that which the "Deputy Commissioner of Nagpur has expressed in his report. Some are "really able men, and when they appear in a case they undoubtedly render "material asssistance. Unfortunately these men form a small minority. All "the same, I would express my opinion that the pleaders, as a body, are improv-"ing every year. In addition to the *élite* whom I have referred to above, "there are now a considerable number of men with a respectable knowledge of "law, and their practice tends constantly to improve them."

It will be seen from the figures given above that the number of pleaders practising in these Provinces is still relatively very small. The head-quarter Courts of eight districts are still unaided by resident pleaders, though the more important suits at these places are often conducted by counsel called in from other districts, and in some cases by barristers from Calcutta, Bombay and Allahabad; and of the 66 pleaders constituting the local bar, a considerable proportion are imperfectly educated men, qualified to conduct suits of minor importance only, and admitted at a time when too great stringency of tests would have prevented any candidate at all likely to come forward from succeeding in the newly started examinations. Even now, after education has made considerable progress in the Province, candidates very rarely succeed in the local examinations, at which, owing to other sources of supply having opened themselves, it has become possible to insist on a proper standard of qualification. Our new pleaders, therefore, are furnished almost entirely from the High Courts, and chiefly from that at Calcutta. As the annual accessions are not large, and the supply is still so far below the demand that an intelligent and skilled advocate can always command a fair subsistence, there has hitherto been no undue competition among this class, and the standard of professional respectability amongst them is decidedly good. As they are mostly well educated men, it rests with the Courts to keep them up to the level of their attainments, and to prevent them from falling into the slovenly practices, such, for instance, as the tendency to imperfect preparation of cases mentioned by the Deputy Commissioner of Nagpur, which might otherwise be induced by want of experience and absence of competition. It must not be forgotten that, whilst the bench will always owe much to a good bar, the standard of professional respectability among a mixed body of pleaders is very much what the Courts choose to make it; depending not only on the repression of unprofessional practices, but also on a cordial recognition of merit, wherever and however it appears.

B.—Extent and Character of Litigation. (B 6, B 7 and I).

12. The following table shows that during the year there has been a uniform decrease in litigation extending to every district in the Provinces with the single exception of Balaghat. The Nagpur and Jubbulpore returns, however, exhibit a slight increase on the total figures, including the institutions in the Small Cause Courts. The Deputy Commissioner of Jubbulpore deals with his returns as showing a decrease, but has apparently overlooked the fact that the effect of the extended jurisdiction of the Small Cause Court has been to transfer to its files a number of suits which would otherwise have been instituted in the regular District Courts. In the case, therefore, of both Nagpur and Jubbulpore the slight increase shown on the total figures may be accepted

Statement showing the number of Suits instiuted and re-instituted inthe Civil Courts of the Central Provinces, from 1862 to 1878.

Year.	Nagpur. District.	Nagpur. City Small Cause Court.	Nagpur. Cantonment Small Cause Court, Kamptee.	Nagpur. Total.	Chanda.	Bhandara.	Wardha.	Balaghat.	Jubbulpore. District.	Jubbulpore. City Small Cause Court.	Jubbulpore. Cantonment Small Cause Court.	Jubbulpore. Total.	Saugor. District.	Saugor. Cantonment Small Cause Court.	Saugor. Total.	Seoni.	Damoh.	Mandla.	Hoshangabad.	Betul	Nimar. District.	Nimar. Cantonment Small Cause Court, Asirgarh.	Nimar. Total.	Narsingipur.	Chhindwara.	Raipur.	Bilaspur.	Sambalpur.	Upper Godavari.	Grand Total.
1862 ...	3,349	1,622	1,612	6,583	667	1,750	658	...	1,619	315	504	2,438	2,313	601	2,914	806	760	369	2,016	1,058	..	...	...	2,121	705	1,326	163	345	7	24,666
1863 ...	3,020	1,436	2,33	6,794	687	1,634	592	...	1,385	1,321	686	3,392	2,380	572	2,952	973	729	201	2,202	1,142	...	...	...	2,691	1,038	820	222	201	35	26,305
1864 ...	2,647	1,692	1,70	6,045	716	1,692	490	...	1,230	1,683	612	3,525	2,109	1,161	3,270	1,280	859	354	3,183	1,228	4,398	...	4,398	2,542	870	1,221	707	275	42	32,697
1865 ...	2,974	1,288	806	5,068	649	2,076	927	...	1,734	1,739	455	3,928	2,741	709	3,450	1,343	1,377	563	5,887	1,156	3,854	...	3,854	3,558	1,303	1,573	1,781	695	66	39,254
1866 ...	3,286	2,320	1,017	6,623	1,021	2,420	1,216	..	1,405	1,636	481	3,522	2,988	720	3,708	1,185	1,289	421	5,279	1,194	7,561	...	7,561	3,416	1,345	1,379	2,896	594	163	45,250
1867 ...	3,390	3,289	1,323	8,002	1,219	2,934	1,833	303	1,685	1,662	296	3,643	2,724	389	3,113	1,263	1,709	380	5,427	1,979	5,541	27	5,568	3,272	1,990	1,406	3,762	592	89	48,544
1868 ...	4,566	4,060	2,083	10,709	1,636	2,798	3,057	810	1,699	2,052	541	4,292	3,612	559	4,171	1,394	1,631	401	5,494	2,732	6,508	244	6,752	4,125	2,770	1,659	3,466	538	125	58,558
1869 ...	5,529	4,415	3,454	13,398	2,006	2,814	3,724	925	1,441	1,984	514	3,939	4,052	835	4,887	1,387	1,760	528	5,068	2,354	7,854	293	8,147	4,535	3,340	1,982	1,298	886	159	63,137
1870 ...	5,648	4,880	3,407	13,935	2,587	3,596	4,277	727	1,725	2,435	445	4,605	4,003	692	4,695	2,185	1,693	656	6,750	2,702	7,689	165	7,854	5,657	4,027	3,123	1,866	959	289	72,183
1871 ...	6,761	5,300	2,594	14,661	2,937	3,507	6,169	1,236	2,278	2,499	463	5,240	3,132	699	3,831	2,619	1,783	569	6,695	3,207	8,551	118	8,669	6,385	3,616	3,194	2,38	1,112	286	78,088
1872 ...	6,060	5,061	2,779	13,900	2,072	3,122	5,485	989	2,313	2,400	511	5,224	2,652	672	3,324	1,904	1,343	679	7,219	3,249	9,572	174	9,746	5,593	3,537	2,641	2,561	1,087	277	73,955
1873 ...	6,315	5,709	2,428	14,452	2,161	2,663	6,051	1,191	1,985	2.254	437	4,676	2,979	432	3,411	1,692	2,060	661	7,918	3,278	7,808	147	7,955	6,369	3,633	2,657	2,081	1,427	252	74,594
1874 ...	6,904	6,104	2,837	15,845	2,039	2,707	6,839	1,319	2,106	2,493	445	5,044	3,328	302	3,630	1,450	1,744	690	7,522	2,983	7,480	90	7,570	6,265	3,729	3,662	2,085	1,337	179	76,639
1875 ...	7,310	5,993	2,885	16,188	2,235	2,812	7,061	1,508	2,012	2,278	421	4,711	3,381	281	3,662	1,863	1,541	630	7,927	3,225	8,208	62	8,270	5,756	4,464	3,358	2,043	1,354	169	78,777
1876 ...	9,152	7,465	2,830	19,447	3,175	3,190	7,159	1,581	2,205	2,037	430	4,672	3,719	899	4,018	1,661	1,477	624	8,331	3,396	8,454	84	8,538	4,967	4,391	4,838	2,885	1,812	108	83,265
1877 ...	10,244	7,461	3,189	20,834	3,085	3,691	3,193	1,795	2,615	2,213	456	5,290	4,195	300	4,490	1,841	1,940	772	8,344	3,216	7,469	97	7,566	5,146	3,969	5,326	2,868	1,784	137	88,484
1878 ...	9,105	8,301	3,493	20,899	2,754	3,074	4,549	2,300	2,427	2,508	454	5,389	3,810	297	4,107	1,815	1,500	557	7,175	2,516	6,456	57	6,493	4,351	3,200	4,790	2,576	1,738	...	79,783

Grades and number of Courts at the close of 1878.	Nagpur.	Chanda.	Bhandara.	Wardha.	Balaghat.	Jubbulpore.	Saugor.	Seoni.	Damoh.	Mandla.	Hoshangabad.	Betul	Nimar.	Narsingipur.	Chhindwara.	Raipur.	Bilaspur.	Sambalpur.	Upper Godavari.	Grand Total.
Courts of the Deputy Commissioner ...	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	...	18
Courts of the Assistant Commissioner.	2	3	2	2	1	2	3	1	1	1	4	1	3	2	1	3	2	1	...	35
Courts of Tahsildar ..	5	4	2	3	1	3	4	2	2	2	4	2	3	3	2	4	3	2	...	51
Courts of the Naib Tahildar ...	3	1	2	3	1	2	2	1	1	...	4	2	2	1	1	2	1	1	...	30
Small Cause Courts and Registrar's Courts ...	4	...	...	...	...	2	1	...	...	...	...	...	1	...	...	...	...	...	...	8
Total ..	15	9	7	9	4	10	11	5	5	4	13	6	10	7	5	10	7	5	...	142

as applicable generally to the district. The result of the year may then be stated as follows. Litigation has increased in Balaghat; in Nagpur and Jubbulpore it has remained stationary; and in every other district it has fallen off.

I.—Increase and Decrease of Litigation.

Comparative table of suits instituted and re-instituted.

13. The following table shows the fluctuations of business during the last six years in the Courts at each locality where they are established.

Locality of Courts.		Number of suits instituted and re-instituted.					
		1873	1874	1875	1876	1877	1878
Nagpur	Nagpur	1,900	2,267	2,580	2,595	2,790	1,919
	Court of Small Causes, Nagpur ...	5,709	6,104	5,993	7,465	7,401	8,301
	Total ...	7,609	8,371	8,573	10,060	10,191	10,220
	Kamptee	2,428	2,837	2,885	2,830	3,189	3,493
	Katol	2,141	2,153	2,159	2,703	3,148	1,849
	Ramtek	1,559	1,425	1,550	2,335	2,670	2,143
	Saoner	...	...	...	...	...	1,358
	Umrer	715	1,059	1,021	1,519	1,636	1,836
Chanda	Chanda	736	596	693	805	832	748
	Warora	694	716	682	1,412	1,031	670
	Mul	430	278	324	426	457	466
	Brahmapuri	301	449	536	532	765	702
	Sironcha Sub-Division ...	252	179	169	108	137	168
Bhandara	Bhandara	1,304	1,327	795	1,279	1,568	1,374
	Tirora	893	794	1,353	1,337	1,302	1,237
	Sakoli	466	586	664	574	811	463
Wardha	Wardha	2,755	3,447	3,503	3,923	2,947	1,960
	Arvi	2,132	1,984	2,186	1,917	1,987	1,451
	Hinganghat	1,164	1,408	1,372	1,319	1,466	1,138
Balaghat	Burha	1,083	1,135	1,396	1,443	1,666	2,131
	Bahir	108	184	112	138	129	169
Jubbulpore	Jubbulpore	858	824	905	920	1,037	874
	Court of Small Causes, Jubbulpore..	2,254	2,493	2,278	2,037	2,219	2,508
	Do. do. Cantonment	437	445	421	430	456	454
	Total ...	3,549	3,762	3,604	3,387	3,712	3,836
	Murwara	273	357	322	341	421	467
	Sihora	854	925	785	944	1,157	1,086

Locality of Courts.		Number of suits instituted and re-instituted.					
		1873.	1874.	1875.	1876.	1877.	1878.
Saugor ...	Saugor ...	1,486	1,559	1,539	1,729	2,092	1,846
	Court of Small Causes, Saugor...	432	302	281	299	300	297
	Kurai ...	492	619	705	775	804	752
	Rehli ...	748	815	929	936	1,008	903
	Banda ...	253	335	208	279	286	309
Damoh ...	Damoh ...	1,577	1,298	1,202	1,156	1,469	1,103
	Hatta ...	489	446	339	321	471	397
Seoni ...	Seoni ...	1,186	1,112	1,446	1,229	1,390	1,257
	Laknadon ...	342	338	417	432	451	558
Mandla ...	Mandla ...	618	631	504	506	565	465
	Ramgarh ...	43	59	126	118	207	92
Hoshangabad ...	Hoshangabad ...	3,468	2,203	2,006	2,349	3,054	2,067
	Seoni ...	725	805	803	897	934	849
	Harda ...	1,593	2,776	3,044	3,621	2,841	2,627
	Sohagpur ...	2,132	1,678	2,074	1,464	1,515	1,314
	Pachmarhi Sub-division ...	...	...	...	...	...	318
Betul ...	Betul ...	1,733	1,732	1,994	2,030	1,964	1,769
	Multai ..	1,545	1,251	1,231	1,366	1,252	747
Narsinghpur ...	Narsinghpur ...	2,725	2,833	2,651	2,314	2,288	2,243
	Chawarpatha ...	504	566	512	165	...	...
	Gadarwara ...	3,140	2,866	2,593	2,488	2,858	2,108
Nimar ..	Khandwa ...	4,514	4,327	4,842	4,974	4,410	2,817
	Burhanpur ...	2,540	2,506	2,582	2,722	2,432	3,276
	Mortakka ...	754	647	784	758	627	343
	Court of Small Causes, Asirgarh..	147	90	62	84	97	57
Chhindwara ...	Chhindwara ...	2,595	2,273	2,913	2,993	2,785	1,753
	Saosar ...	1,038	1,456	1,551	1,398	1,184	1,447
Raipur ...	Raipur ..	1,556	2,132	2,115	2,788	3,023	2,687
	Drug ...	286	362	374	479	700	854
	Dhamtari ...	399	525	349	620	617	648
	Simga ...	416	643	520	946	986	601
Sambalpur ...	Sambalpur ...	1,115	795	906	1,151	961	1,058
	Bargarh ...	312	542	448	661	823	680
Bilaspur ...	Bilaspur ...	1,244	1,354	1,329	1,727	1,283	835
	Mungeli ...	513	502	465	749	579	666
	Seorinarain ...	324	229	249	409	1,006	1,075
	Total ...	74,594	76,639	78,777	86,265	88,484	79,783

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Looking back to what was said in last year's report as to the general tendency of litigation to increase, it is somewhat singular to find the results of the present year supplying such an apparently complete contradiction to the view then accepted. These results, however, are capable of a more than usually satisfactory explanation. There is a remarkable unanimity among Deputy Commissioners in the two northern divisions as to the reasons to which the decrease is to be assigned. The failure of the spring crop, the bad season, the hard times are almost everywhere put forward as the causes of the diminished litigation, though they are supplemented in some districts by other special causes. The Deputy Commissioner of Hoshangabad writes:—

"The decrease, however, has been general and commenced from the beginning of the year, and has been noticed nearly every quarter. Had any special causes been at work it would have been possible to trace them to certain Courts or places, but two additional Courts of Naib-Tahsildars have been opened during the course of the year at Hoshangabad and Seoni, and yet the decrease in cases of low value triable by Naib-Tahsildars has been just as noticeable as in cases of higher value. Additional facilities have also been afforded by investing the Assistants at Pachmarhi and Harda with higher powers, and as far as I can learn, the action of no single officer has tended to check litigation, nor do I believe that any check has been caused by a change of law or procedure. I think therefore that the decrease may fairly be attributable to hard times."

The Deputy Commissioner of Narsinghpur writes to the same effect:—

"Owing to the bad season crediters knew that they had little chance of realizing and therefore abstained from suing"

The Deputy Commissioner of Betul, again, attributes the decrease to a bad year. Creditors preferred to wait seeing no chance of recovering their money. He also mentions two other causes, the existence of cholera at the head-quarters station, and the length of time during which, on several occasions, subordinate Courts were closed owing to change of officers and to delay in investing newly appointed officers with powers. This latter point will be referred to separately. The Deputy Commissioner of Chhindwara has been able to look with satisfaction on a decrease in litigation during the several preceding years, but the decrease is now due to the failure of the spring crop. The Commissioner of the Nerbudda Division refers to this repeated explanation as follows:—

"Our Courts are the common agency for the collection of debts, and Court fees are not ordinarily hazarded unless there is some prospect of the debtor's solvency."

The same remark applies to the returns of the Jubbulpore Division. In Seoni the decrease occurred in the early months of the year, and the Deputy Commissioner explains that the spring crop, which gave every promise of being a bumper crop, turned out a failure, and cases were, therefore, not instituted until the incoming of a good autumn crop gave promise of some certainty of realizing debts. In Damoh the falling off is attributed to bad harvests, and in Mandla to dearness of grain and the prevalence of cholera. The Deputy Commissioner of Saugor has no very clear explanation to offer; but the Deputy Commissioner of Jubbulpore reverts to the same theme:—

"As a rule all bide their time until more propitious seasons; and as the state of the market has been generally going from bad to worse, I think this may be accepted as a fair reason for the decrease in litigation."

The Officiating Judicial Commissioner thinks that the reason so generally insisted upon may be accepted. It is in accordance with former experience, and is borne out by the known condition of the country.

As regards the more southern divisions the case is different. In the three districts of the Chhattisgarh Division there was certainly a decrease, though in the case of Sambalpur a nominal one merely. But the figures for the year show larger institutions in Raipur and Sambalpur than in any previous year, with the exception of 1876 and 1877, and larger institutions in Bilaspur, with the same exception, than in any previous year since 1868. It may therefore be fairly

inferred that what may be called the natural rate of progression has been going on, though perhaps unduly accelerated in 1876 and 1877, and again somewhat retarded in 1878 by special causes. Now it is known that the great increase of trade and enhanced value of agricultural produce, especially during 1877, in connection with the export of grain for the famine districts, led to an abnormal activity in business transactions which was reflected in the returns of the Courts. The same influences have been in operation, though to a less extent, during the present year, and it might therefore have been expected that there would be no great difference between the figures for the two years. There have, however, been special causes at work to retard the development of litigation. Two such causes are given by the Deputy Commissioner of Sambalpur, the first being that the Sambalpur Tahsildar's Court was virtually closed during the first quarter of the year, and the second that an out-break of cholera in June left the Courts almost entirely deserted, and prevented institutions even up to the beginning of the third quarter.

The same cause was also potent in Raipur. The Deputy Commissioner says :—

> "The prevalence of cholera in an epidemic form during nearly eight months of the year, and more especially in the months of April, May, June and July, no doubt excercised a considerable influence in deterring litigants."

He also refers to the high prices of grain as having enabled the agricultural classes to pay off their debts without obliging their creditors to put pressure upon them by means of the Courts. The same reason is given by the Deputy Commissioner of Bilaspur for the decrease of suits in that district, who justifies his opinion by showing that suits on written obligations, that is suits to recover debts, are the class of suits which have chiefly decreased, while suits arising out of grain transactions have actually increased.

It is doubtful whether a season of high prices, even unaccompanied by scarcity, ever lessens litigation by inducing the generality of debtors to pay of their own accord. Some, perhaps even many, may do so, but probably a greater number will not or cannot, for high prices, however favourable to producers, press hardly on other classes; and therefore though suits arising out of grain transactions would naturally increase, claims to recover debts from all but agriculturists might, as naturally, have been expected to diminish.

With regard to the decrease in the districts of the Nagpur Division, the Commissioner writes as follows:—

> "The decrease except in Balaghat is then very general, and confined to no particular locality.
>
> "The Deputy Commissioner, Nagpur, remarks at considerable length on the constantly increasing amount of litigation in his district, the further growth of which has been arrested this year.
>
> "The Deputy Commissioner of Wardha attributes the great decrease in his district to an excellent harvest and high prices of agricultural produce, by which means agriculturists were able to pay their debts.
>
> "In Chanda, the decrease at Warora is ascribed to the same cause mainly, and also to the cessation of the Wardha railway works. The Deputy Commissioner, Bhandara, is not very clear why suits should have decreased in number, and the Deputy Commissioner, Balaghat, thinks they increased in his district, because of high prices and an increased demand for money. I dont know that anything that has been said enables me to come to any very precise conclusion as to why litigation was less in the past year than in its predecessor. I am disposed to think that in the latter part of 1877, and the early part of 1878, there was great activity of trade—a good deal of speculation went on—numbers of persons were induced to invest their money and devote their time to trading operations. So long as the briskness of business continued, people did not care to waste their time in the law Courts; they could employ themselves more profitably. With the decline of business which set in during the year, litigation resumed its normal course, and I think it will be found that it will now again show a tendency to increase."

It is impossible to pronounce confidently on the causes of the decrease of litigation in three districts of the Nagpur Division, when we find it ascribed by Deputy Commissioners to a cause almost the opposite of that assigned for a similar decrease in the northern Divisions. There may, however, be reason in the Commissioner's remarks, and time will show if he is correct. But, as was remarked in the case of the Chhattisgarh Division, an era of high prices, however favourable to agriculturists, is always an era of difficulty to large classes of the community; and therefore, in so far as litigation is checked by the inutility of squeezing impecunious debtors, a rise in prices beyond a certain point cannot fail to lessen suits to recover debts. But the question is one which cannot be solved satisfactorily except by careful analysis of the suits instituted during the year; and it was hoped that, after the remarks on the subject in last year's report, all Deputy Commissioners would have seen the advantage of substituting some sort of analysis for general conjecture. In some cases this has been attempted, but in others again the remarks in district reports are little better than guess-work. The Officiating Judicial Commissioner has, however, no reason to suspect any general tendency to overlook aberrations arising out of erroneous practice in particular Courts. As has been said, this year's fluctuations may, for the most part, be safely assigned to general causes.

The decrease in Nimar is again attributed in the main to special action on the part of the Courts, in decreeing payment by instalments, and ordering successful plaintiffs to pay their own costs. On this point the Officiating Judicial Commissioner remarked last year that he considered it a fair instance of the manner in which the returns might be useful in drawing the attention of supervising officers to possible defects in practice. The remark acquires even great force this year when decrees by instalments have increased in the most unprecedented manner. The subject will be referred to again in dealing with decrees.

It has already been noticed that the Deputy Commissioner of Betul refers to changes of Naib-Tahsildars and delays in investing the newly appointed Officers with Civil powers as one of the causes of the decrease in litigation in his district:—

> "These changes"—he says—"have, in my opinion, been the *chief* cause of decrease in the number of institutions of original suits for the reason, (1) that the Courts were unable from not having been gazetted with any powers to dispose of any cases, and (2) that ignorant suitors hearing of transfers and knowing the said Courts were closed, imagined that no suits could be filed till they were re-opened."

On this point the Commissioner remarks:—

> "Changes among officers, and the want of timely notification of judicial powers, are preventible causes, which by a little forethought and arrangement ought to be obviated."

The Officiating Judicial Commissioner entirely agrees with the Commissioner. Of all essentials, method and system are those perhaps most neglected in our outlying Courts, and yet nothing tends to make the administration of justice more unpopular than uncertainty and unpunctuality in the disposal of business. The subject will be again referred to in commenting on the manner in which cases are disposed of.

The business in the Small Cause Courts at Nagpur, Kamptee, and Jubbulpore has increased; and the increase is in each instance attributed to the extended jurisdiction conferred upon them by Act X of 1877. The Judge of the Kamptee Small Cause Court is able to give a practical illustration of his views on this head. With an increase of 304 suits to account for, he shows that in 294 cases defendants were not residents of the Cantonments, or, in other words, would not have been within his Court's jurisdiction in the preceding year. He also considers that the works on the Chhattisgarh State Railway, and the movement of some of the troops of the Kamptee garrison have given an impetus to litigation. The opinnion of the Judge of the Small Cause Court at Nagpur as to the decrease of institutions in the early part of the year, has already been

given. Probably the extended jurisdiction is one of the main reasons for the increase of business in these Courts. It is not quite plain, however, why the causes which affected the suits in the Nagpur and Jubbulpore districts should not have extended to them. There may have been special causes at Kamptee, connected with the Cantonment, which prevented the decrease which occurred in the Nagpur district from occurring there; but there were, so far as it appears, no such special causes at work in Nagpur and Jubbulpore, and yet the returns of the Small Cause Courts at these places are not only larger relatively to the district returns, but also, especially at Nagpur, considerably larger than their own returns of last year. They are the only Courts which show an absolute increase of business, except the Balaghat Courts, and it would have been satisfactory if the reason for this could be traced.

II.—Value of Suits.

Relative values of suits disposed of.

14. The relative values of suits disposed of in the years 1877-78 are compared in the following table.

Grades of value not exceeding		Number of suits disposed of in 1877.	Number of suits disposed of in 1878.	Percentage of total suits.		Average value.	
				1877.	1878.	1877.	1878
Rupees	5	15,277	11,630	17·2	14·8	3	3
"	20	38,066	28,665	37 3	36·5	11	12
"	50	...	20,871	...	26·5	...	33
"	100	31,737	9,130	35·8	11 6	44	69
"	300	...	6,004	...	7·7	...	168
"	500	7,356	1,079	8·3	1·4	194	383
"	1,000	706	746	1·4	1·5	692	695
"	5,000	437	408			2,028	1,969
"	10,000	38	35			7,149	7,648
Exceeding Rupees	10,000	21	18			31,135	92,387
Total		88,638	78,586	100·	100.	...	...

The litigation of the year has not altered much in character. The great bulk of the suits brought in our Courts are for sums less than Rs. 100. But within this limit there have been one or two marked fluctuations as compared with the results of last year There has been a considerable decline in suits of the lowest value, and a falling off in suits between Rs. 5 and Rs. 20 in value, while there has been a corresponding advance in the proportion of suits betwene Rs. 50 and Rs. 100.

Observations on values of suits by districts.

15. The following table presents the subject in detail according to districts.

Percentages of suits (disposed of) of the several classes of value.

		Not exceeding rupees 5.	Not exceeding rupees 20.	Not exceeding rupees 100.	Not exceeding rupees 500.	Exceeding rupees 500.
Nagpur ...	1878	18·9	38·1	34·8	7·1	1·1
	1877	16·1	37·3	37·2	8·	1·4
Chanda ...	1878	11·5	43·2	39·4	5·4	·5
	1877	13·4	41·9	37·9	6·4	·4
Bhandara ...	1878	14·6	36·5	40·8	7·2	·9
	1877	16·5	39·3	37·4	6·2	·6
Wardha ...	1878	9·1	33·8	44·1	11·7	1·3
	1877	12·5	35·6	40·6	10·1	1·1
Balaghat ...	1878	16·8	37·9	37·5	6·7	1·1
	1877	19.4	39·3	31·9	7·8	1·6
Jubbulpore ...	1878	13·4	35·2	38·1	10·6	2·7
	1877	14·5	35·	33·1	12·1	5·3
Saugor ...	1878	11·9	35·8	41·1	9·7	1·5
	1877	10·	36·5	41·5	10·5	1·5
Damoh ...	1878	9·	37·7	43·7	8·5	1·1
	1877	12·9	38·	39·4	8·7	1·
Seoni ...	1878	17·1	37·8	36·6	7·7	·8
	1877	17·3	40·2	34·6	6·3	1·6
Mandla ...	1878	19·6	35·	33·8	10·5	1·1
	1877	15·7	37·6	38·4	7·4	·9
Hoshangabad ...	1878	9·9	30·6	40·	15·7	3·8
	1877	11·5	30·3	40·5	14·6	3·1
Betul ...	1878	14·1	38·1	38·8	8·3	·7
	1877	16·9	35·4	39·4	7·2	1·1
Narsinghpur ...	1878	8·6	29·9	47·1	12·5	1·9
	1877	9·7	33·5	42·9	11·6	2·3
Chhindwara ...	1878	11·4	38·6	42·9	6·2	·9
	1877	16·6	41·7	35·2	5·8	·7
Nimar ...	1878	16·6	36·2	38·8	7·4	1·
	1877	22·	37·9	32·2	6·9	1·
Raipur ...	1878	17·1	38·	32·5	10·3	2·1
	1877	21·3	38·9	29·8	8·4	1·6
Sambalpur ...	7878	16·1	41·2	35·3	7·	·4
	1877	24·6	34·3	34·9	5·9	·3
Bilaspur ...	1878	21·4	40·4	29·2	7·2	1·8
	1877	25·3	40·9	26·4	6·3	1·1

It will be seen that the proportionate decline in suits of the lowest value has been general. In every district in the Provinces with the exception of Nagpur, Saugor, and Mandla, there has been a relative decrease in this class; and the decrease has been considerable in Sambalpur, Nimar, Chhindwara, and Bilaspur.

It is quite in accordance with antecedent experience that a general decreas in the litigation of any given year should leave its most distinct effects on the lowest classes of suits. It has been remarked that they are more susceptible of variations than the higher classes. And as last year it was pointed out that the general tendency to an increase then shown was proportionately most marked in suits of the lowest value, the converse of the proposition may be said to hold good for the present year.

There are contradictions, of course, which cannot be altogether explained Balaghat, with a large increase in the total number of institutions, has a much smaller percentage of suits of the lowest class; while Mandla, with a decrease in institutions, has a much higher percentage of such suits. In neither case has any explanation been attempted. The increase in Nagpur and Saugor is probably due to the fact that the figures of the Small Cause Courts are incorporated in their returns, and it is noticeable that Jubbulpore only shows a decline of one per cent.

Nimar, again, presents an anomalous result. Last year, notwithstanding a decrease in litigation, there was a rise in the proportion of suits of the lowest value. This year, with a still further decrease in litigation, there is a very marked fall in the proportion of these suits. The present result, however, comes within the general rule which has been laid down above.

III.—Description of Suits.

Comparison of numbers and proportion of suits 1877-78

16. The following table, comprising the number and proportion of suits of the principal kinds during 1877 and 1878, is prepared from Statement No. I.

	1877.		1878.	
	Number of suits.	Percentage of total suits	Number of suits.	Percentage of total suits.
Money due on bond or other contract ...	70,969	80·1	60,871	77 4
Recovery of moveable property or value thereof ...	9,914	11·2	10,188	13·
Damages ...	2,470	2·8	2,343	3·
Immoveable property ...	3,689	4·2	3,670	4·7
Rent not falling under the Rent Law ...	747	·8	770	1·
Other claims ...	851	·9	744	·9
Total ...	88,640	100·	78,586	100·

The only relative decrease occurs under the first head, and this was to be expected. The actual increase, however, in the number of suits for the recovery of moveable property or its value is even more noticeable than it was last year on account of the general decrease in the year's litigation. Suits for immoveable property and suits for damages again show a proportionate increase; and the number of suits for rent not falling under the rent-law, have increased by 23. There is reason to believe, however, that this latter increase is due to imperfect classification in some districts. These results will be discussed in dealing with the District statistics.

Distribution of suits under sub-heads.

17. Under the several sub-heads of contract, the returns of the two years are contrasted below.

Sub-heads of suits for money due for breach of contract.	1877.		1878.	
	Number of suits.	Percentage of total suits.	Number of suits.	Percentage of total suits.
Written obligation	40,725	46·	36,721	46·7
Unwritten obligation	16,147	18·2	12,684	16·1
Account stated	1,556	1·7	1,308	1·7
Money paid or received	822	·9	651	·8
Goods sold and delivered	10,599	12·	8,660	11·
Breaches of contract not included above ...	1,120	1·3	847	1·1
Total ...	70,969	80·1	60,871	77·4

The proportion of suits on written obligation remains about the same, but the proportion of suits on unwritten obligation has fallen. The main decrease of the year, in fact, has been under the latter head, but this is only the natural result of the causes already discussed. It has been shown that suits of the lowest value have decreased in a very much greater measure than any other, and it is precisely these suits which would come within the description of suits on unwritten obligation. The same results will be found reflected in the Court returns. The increase of suits of this character was attributed last year to the growth of Naib Tahsildars' Courts; but it will be seen that this year the proportion of work done by Naib Tahsildars, whose numbers have been added to, has also fallen off for the simple reason that the suits of the class which ordinarily come before them, have not been instituted to the same proportionate extent as hitherto.

Classification of suits under main heads.

18. The statistics of each district for 1877 and 1878 for the main classes of suits are given in the following table.

Districts (Small Cause Court figures being included)	Total suits disposed of.	For money due. On written obligation. Number.	For money due. On written obligation. Percentage of suits disposed of.		For money due. On unwritten obligation. Number.	For money due. On unwritten obligation. Percentage of suits disposed of.		For money due. For goods sold and delivered. Number.	For money due. For goods sold and delivered. Percentage of suits disposed of.		For recovery of moveable property or value thereof. Number.	For recovery of moveable property or value thereof. Percentage of suits disposed of.		For damages. Number.	For damages. Percentage of suits disposed of.		For immoveable property. Number.	For immoveable property. Percentage of suits disposed of.	
		1878	1878	1877	1878	1878	1877	1878	1878	1877	1878	1878	1877	1878	1878	1877	1878	1878	1877
Nagpur ...	20,588	11,256	54·7	52·2	3,017	14·7	15·8	2,958	14·4	16·2	1,412	6·9	6·9	364	1·8	1·8	715	3·5	2·9
Chanda ...	2,736	1,582	57·8	57·2	264	9·6	9·5	218	8·	7·8	387	14·1	14·9	74	2·7	2·4	40	1·5	2·3
Bhandara ...	3,013	1,540	51·1	52·8	389	12·9	15·5	228	7·6	10·7	517	17·2	13·3	103	3·4	2·4	110	3·6	2·8
Wardha ...	4,469	2,436	54·5	49·4	699	15·6	17·4	202	4·5	6·1	470	10·5	10·7	94	2·1	2·3	188	4·2	4·3
Balaghat ...	2,275	766	33·7	39·	581	25·5	30·7	106	4·7	4·4	610	26·8	15·1	126	5·5	3·8	48	2·1	4·2
Jubbulpore ...	5,349	1,884	35·2	37·1	1,053	19·6	22·4	918	17·1	15·1	367	6·9	4·3	184	3·4	3·8	382	7·1	6·9
Saugor ...	4,194	1,917	45·7	50·6	559	13·3	15·2	395	9·4	9·8	804	19·1	13·	56	1·3	1·	187	4·4	3·8
Damoh ..	1,505	768	51·	50·9	182	12·1	14·9	88	5·8	5·8	277	18·4	14·7	32	2·1	2·1	100	6·6	6·8
Seoni ..	1,720	558	32·4	32·5	391	22·7	30·	233	13·5	8·6	383	22·3	14·4	92	5·3	4·6	29	1·7	5·5
Mandla ...	551	124	22·5	26·1	152	27·6	36·	50	9·1	6·	114	20·7	13·4	37	6·7	7·8	14	2·5	2·2
Hoshangabad ...	7,107	2,999	42·2	41·3	1,206	16·9	17·4	595	8·4	6·2	1,389	19·5	20·	142	1·9	1·7	403	5·8	3·9
Betul ...	2,505	1,093	43·6	44·9	540	21·6	22·8	176	7·0	9·2	350	14·0	12·	118	4·7	3·6	131	5·2	4·5
Narsinghpur ...	4,304	2,171	50·4	55·	540	12·5	14·2	239	5·6	7·	540	12·5	8·2	93	2·2	2·1	491	11·4	7·6
Nimar ...	6,443	3,557	55·2	47·2	1,003	15·5	18·	1,007	15·6	21·	283	4·3	4·6	99	1·5	1·4	158	2·4	3·
Chhindwara .	3,119	1,748	56·0	50·5	460	14·7	19·6	179	5·7	9·2	358	11·5	10	71	2·3	2·	176	5·6	4·9
Raipur ...	4,492	1,253	27·9	25·9	930	20·7	23·3	670	14·9	15·4	851	18·9	19·8	346	7·7	6·6	173	3·8	4·
Sambalpur ...	1,678	614	36·5	30·8	181	10·8	14·7	160	9·5	14·5	316	18·8	18·7	105	6·2	6·1	149	8·8	7·5
Bilaspur ...	2,538	455	17·9	22·7	537	21·2	24·4	238	9·4	10·7	760	29·9	16·2	207	8·2	8·5	176	6·9	4·2
Total ...	78,586	36,721	46·7	46·	12,684	16·1	18·2	8,660	11·	12·	10,188	13·	11·2	2,343	3·	2·8	3,670	4·7	4·2

The decrease in suits on unwritten obligat'on extends uniformly to every district except Chanda, where the increase has been nominal. This is in accordance with the results already commented upon. The general decrease in litigation has affected most the suits of lowest value, and these accordingly have fallen off proportionately in almost every district; consequently it was to be expected that suits on unwritten obligation, which correspond in a great measure to the suits of the lowest value, should also show a proportionate decrease in most of the districts. . It is not quite so easy to account for the result under suits on written obligation. Of late years they have shown a tendency to decrease, but now in face of a large general decrease in litigation, they more than maintain their proportion to suits of other classes. It may be noted, however, that in most of the districts there have, as a matter of fact, been fewer suits on written obligation than there were last year. The Provincial average, which is slightly in excess of last year's figure, is due to a large proportionate increase under this head in four districts, Nimar, Wardha, Chhindwara and Sambalpur. No very satisfactory explanation of these results has been given by any of the Deputy Commissioners of these districts. There is, however, truth in what the Deputy Commissioner of Chhindwara says :—

> " The chief increase in proportion has been in suits for bonds This is, of course, due to the fact that, scarcity or plenty, the law of limitation compels the money lenders to sue on about the same number of suits every year."

The Deputy Commissioner of Nagpur writes as follows :—

> "It is but natural that as education advances suits on written obligation should increase, while those on unwritten obligation should decline, and we may draw from this fact the gratifying conclusion that the action of our Courts is educating the people in more business-like habits."

It has already been pointed out that this has not been the tendency of late litigation, and the Officiating Judicial Commissioner is afraid that the Deputy Commissioner's inference is hardly borne out by the facts of the present year.

The proportionate increase under the head of moveable property or its value has only been partial. There was a very large increase at Balaghat, and at Bilaspur the actual number rose from 456 to 760. The Deputy Commissioner puts this down to the "vast increase in grain transactions;" and the Deputy Commissioner of Narsinghpur gives the same reason for the increase shown in his district. With these exceptions, the only material increase* occurs in the Jubbulpore Division, where it is common to every district. In the absence of any good reasons for this result, it may be inferred that it is probably due to some difference in classification. In the Hoshangabad district suits on breach of contract have fallen from 240 in 1877 to 30 in the present year, and this is explained to be due to the tardy observance of the proper classification. Where such mistakes in compilation are liable to occur, it would not be safe to build too much on the results as shown in the returns. The proportion of suits for immoveable property stands higher than it did last year; this is chiefly due to numerical increases in several of the large districts. At Nagpur the number rose from 606 to 715; at Hoshangabad from 324 to 403; and at Narsinghpur from 397 to 491. At Jubbulpore there was an increase of 10; at Saugor of 20; and at Bilaspur the figures advanced from 119 to 176.

	1878	1877.
*Jubbulpore .	6 9	4 3
Saugor .	19 1	1 1
Damoh	18 4	14 7
Beoni ...	22 3	14 4
Mandla ..	20 7	13 4

The Deputy Commissioner of Bilaspur attributes this advance to the enhanced value of land, and the Deputy Commissioner of Narsinghpur expresses a similar

opinion. Nothing however has been put forward by them in justification of their views. The Commissioner of the Nerbudda Division writes :—

"I do not quite understand the process by which the Deputy Commissioner has arrived at this conclusion, and I should be glad if he had given specific instances to prove that the value of land is enhanced."

The heading "Suits for immoveable property" includes all suits connected with immoveable property, and the Deputy Commissioner of Nagpur probably points to the only conclusion of which the facts will allow, when he shows that in 26 per cent only of the cases affecting immoveable property was the amount in question in excess of Rs. 100. The inference, then, which this seems to warrant is, that there is an increasing desire on the part of small creditors to have security, in the shape of houses or land, for the advances which are made by them. This is notoriously the case in Nagpur, and probably the same explanation may account for a great portion of the results shown at Hoshangabad and Narsinghpur, without reference to the somewhat complicated question of the selling value of land.

IV.—Description and Value (together) of Suits.

Relative value of the principal description of suits

19. The table below shows the relative value of suits of the principal descriptions.

Description of suits.	Number	Percentage of					
		Suits not exceeding.				Suits above	Total.
		Rs 5.	Rs 20.	Rs 100.	Rs 500.	Rs. 500.	
Written obligation ..	36,721	4 2	35 2	49 9	9 5	1 2	100·
Unwritten obligation ..	12,684	28 5	43 5	22 9	4·4	7	100·
Goods sold and delievered ..	8,660	42 1	40 8	14 9	2	·2	100·
Moveable property or value thereof..	10,188	11 2	37 1	37 2	10 1	1·4	100·
Damages ...	2,343	14·	33 8	38 2	11 2	2 8	100·
Immoveable property ..	3,670	10 2	22 3	37·0	21·7	8 2	100

The proportion of suits for immoveable property in the two highest classes has increased. This is due in the highest class to a special suit for partition of landed property which was decided at Nimar, and in which the property was valued at upwards of Rs. 13,00,000.

C.—General Distribution and result of trial of Civil Suits by Courts of original jurisdiction [B 8 and 11]

I.—*Distribution*

Distribution of suits disposed of among different classes of Courts.

20. The following table shows how suits disposed of were distributed among the different classes of Courts in the several districts.

Total number of Judges ..		8	30	51	35	18	4	146
Districts.		Small Cause Courts.	Naib Tahsildars.	Tahsildars.	Assistant Commissioners.	Deputy Commissioners.	Commissioners.	Total
Nagpur ...		11,661	4,660	2,788	1,478	1	...	20,588
Chanda ...		...	524	1,428	775	9	...	2,736
Bhandara ...		...	1,648	739	614	12	...	3,013
Wardha ...		...	2,403	1,399	663	4	...	4,469
Balaghat ...		...	835	472	967	1	...	2,275
Jubbulpore ...		2,948	928	950	515	8	...	5,349
Saugor ...		300	1,781	1,436	666	11	...	4,194
Damoh ...		...	170	1,005	325	5	...	1,505
Seoni ...		...	417	1,121	132	20	...	1,720
Mandla ...		...	..	387	158	6	...	551
Hoshangabad ...		...	2,570	2,979	1,539	19	...	7,107
Betul ...		...	1,119	1,182	199	5	...	2,505
Nimar ..		58	2,254	2,034	2,071	26	...	6,443
Narsinghpur ...		...	1,073	2,335	876	20	...	4,304
Chhindwara ...		...	1,020	1,558	530	11	...	3,119
Raipur ...		..	2,267	1,767	458	...	...	4,492
Sambalpur ..		...	201	1,224	249	4	...	1,678
Bilaspur ...		...	934	1,338	263	3	...	2,538
Total ...	1878	14,967	24,834	26,142	12,478	165	5	78,591
	1877	13,632	28,727	31,234	14,602	443	2	88,640
Percentage ...	1878	19·1	31·6	33·3	15·8	·2	...	100
	1877	15·4	32·4	35·2	16·5	·5	...	100
	1876	15·1	28·3	36·7	19·5	·4	...	100
	1875	15·2	24·5	38·4	21·5	·4	...	100

It is intelligible enough why the proportion of work done by the Small Cause Courts should be larger than it has been for a number of years. There has been no question of relative decrease or increase between the business of one class of Courts or another. The Small Cause Courts, on one side, show an absolute increase in the number of suits of which they have disposed, while all other original Courts, on the other side, show an absolute decrease. It was, therefore, unavoidable that the percentage of business transacted by the Small Cause Court should be considerably in advance of the figure at which it has been constant for the last four years.

The work done by Naib Tahsildars bears about the same ratio to the work done by Tahsildars as it did last year. It might have been expected that the ratio would have been higher as there has been an increase in the number of Naib Tahsildars' Courts. But it must be remembered that the decrease in litigation, which has marked the present year, has affected the lower classes of suits, which come before these officers, in a much greater measure than it has affected the higher classes of suits. The percentage of work done by them was much higher in some districts. For instance in three districts in the Nagpur Division it was in excess of 50 per cent., excluding the suits disposed of by the Small Cause Courts.

Wardha	55·
Bhandara	54·6
Nagpur	52·

12-3-79—3 C—196—320.

The Naib Tahsildar's Court may now be said to have been accepted as one of the ordinary tribunals of the Provinces, and no longer needing any special justification.

The proportion af work done by Assistant Commissioners and Deputy Commissioners remains about the same as before.

Disposal of suits by the various classes of Judges according to value.

21. The following table shows the proportion in which suits of the several grades of value were disposed of by the various classes of Judges

Judge.		Registars of Courts of Small Causes	* Judges of Courts of Small Causes.	Naib-Tahsildars.	Tahsildars.	Assistant Commissioners.	Deputy Commissioners.	Total.	Remarks.
Number of Judges.		2	6	30	51	35	18	142	
Salary of Judges.		Rs. 100 and 200.	* Rs. 700 to 1,000.	Rs. 50 to 70.	Rs. 100 to 200.	Rs. 400 to 800.	From Rs. 833 to Rs. 1,833.		
Grades of value of suits.	Total number of suits disposed of	Percentage of suits disposed of before each class of Judge.							
Not exceeding Rupees 5 ..	11,630	21 4	4·8	45·7	22·5	5·4	·2	100·	*Includes the Judge Asirgarh Cantonment, who receives a staff allowance of Rs. -200.
Do. ,, 20 ..	28,665	14·8	5 3	45·4	27·4	6·9	·2	100·	
Do. ,, 50 ..	20,871	..	17 8	31·1	39·3	11·5	·3	...	
Do. ,, 100 .	9,130	...	14 9	...	58 7	25·6	·8	100·	
Do. ,, 300	6,004	...	13·9	...	35 4	47 2	3·5	...	
Do. ,, 500 .	1,079	...	15 0	...	...	74·6	10 4	100·	
Do. ,, 1,000 ..	746	...	9 8	...	..	77·2	13·0	100·	
Do. ,, 5,000	468	...	...	...	...	53 4	46 6	100·	
Do. ,, 10,000	35	...	...	...	...	...	100·	100·	
Do ,, 100,000 ..	17	...	...	...	...	...	100·	100·	
Exceeding ,, 100,000..	1	...	...	...	...	...	100·	100·	
All Grades ...	78,586	8 5	10 5	31·6	33 3	15 0	1·1	100·	

Results of Trial.

Results of trial of suits disposed of.

22. The general results of the trial of suits disposed of were as under.

	Number of suits.	Proportion per cent.	Corresponding proportion per cent in 1877
Plaints rejected or returned	453	·6	·8
Transferred to other District or Small Cause Court Jurisdiction ...	...	...	...
Without Contest.			
Decreed on confession	19,961	25·4	24·9
Dismissed for default	15,221	19·4	19 4
Compromised	9,817	12·5	13 1
Decreed *ex parte*	9,657	12·3	11 2
Withdrawn with leave	891	1·1	1·
Dismissed *ex parte*	550	·7	·6
Total Uncontested ...	56,097	71·4	70·2
Contested and Judgement given for.			
Plaintiff in whole	9,487	12·	11 8
Do. in part	6,489	8·3	8 9
Defendant in whole	6,060	7·7	8 3
Total Contested ...	22,036	28·	29·

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There has been a proportionate decrease of one per cent in the number of suits contested, and a corresponding increase of one per cent in the number of suits decreed upon confession. Fewer cases have been compromised and more cases have been decreed *ex parte*, but generally the results of the two years are sufficiently similar.

Comparison for 1877-78 of contested suits in the several districts.

23. The following table shows the proportions of contested suits in the several districts of the Central Provinces with details of the manner of disposal for 1877 and 1878.

Districts.	Percentage of total cases disposed of.							
	For plaintiff in whole.		For plaintiff in part.		For defendant in whole.		Total.	
	1878	1877	1878	1877	1878	1877	1878	1877
Nagpur ...	12·6	12·2	6·4	4·8	5·6	5·6	24·6	22·6
Chanda ...	11·7	12·	8·3	10·3	4·8	7·	24·8	29·3
Bhandara ...	10·8	8·5	8·9	10·6	6·2	7·7	25·9	26·8
Wardha ...	11·5	12·5	8·9	10·3	7·4	8·2	27·8	31·
Balaghat ...	13·5	11·8	8·8	7·5	8·6	10·7	30·9	30·
Jubbulpore ...	13·6	13·9	10·0	10·8	11·7	14·7	35·3	39·4
Saugor ...	13·3	12·4	7·3	6·4	5·3	5·7	25·9	24·5
Damoh ...	9·0	13·2	10·1	8·8	7·3	6·6	26·4	28·6
Seoni ...	11·5	12·7	9·5	7·3	8·6	11·4	29·6	31·4
Mandla ...	10·5	10·8	7·6	10·5	10·2	9·8	28·3	31·1
Hoshangabad ...	13·0	11·8	6·3	9·7	7·5	7·6	26·8	28·1
Betul ...	12·1	12·	7·0	9·3	8·6	7·	27·7	28·3
Narsinghpur ...	16·1	16·5	9·6	11·2	13·7	12·8	39·4	40·5
Chhindwara ...	9·8	9·6	5·9	6·3	7·9	7·4	23·6	23·3
Nimar ...	10·3	9·9	8·2	7·8	6·4	6·9	24·9	24·6
Raipur ...	9·0	9·4	13·4	15·5	8·4	12·4	30·8	37·4
Sambalpur ...	11·4	9·8	8·5	7·1	8·4	7·9	28·3	24·8
Bilaspur ...	10·3	11·2	14·5	10·7	15·2	13·9	40·0	35·8

Though the Provincial percentage of contested cases has fallen only one per cent there seems to have been a proportionate decrease, as compared with last year, in a number of districts. Thus, in round numbers, a decrease of 7 per cent is shown at Raipur, a decrease of 5 per cent at Chanda, a decrease of 4 per cent at Jubbulpore and Wardha, a decrease of 3 per cent at Mandla and Hoshangabad, and a decrease of 2 per cent at Damoh and Seoni. Against this has to be set a relative increase of 5 per cent at Bilaspur, of 4 per cent at Sambalpur, and of 2 per cent at Nagpur.

In most of the districts no explanation is given. The Deputy Commissioner of Raipur in referring to the large decrease in comparison with the returns of 1877 and 1876, says :—" I can asssign no particular reason for this, perhaps the prevalence of cholera had something to do with it." The Deputy Commissioner of Wardha says:—" It is note-worthy that the experience of this district is thus counter to the frequently expressed opinion that pleaders foment needless litigation." He however offers no reason for the smaller proportion of contested cases with regard to which he is writing. The Deputy Commissioner of Nagpur deals with his figures as though he were accounting for a decrease instead of an increase. The Deputy Commissioner of Sambalpur has nothing to say on the subject; but the Deputy Commissioner of Bilaspur, in dealing with the increase of 5 per cent in his district, points out that there has been a rise in suits arising from commercial transactions, and in suits in which immoveable property is in-

volved, and that these are the classes of suits which might be expected to be contested. Generally it may be said that the result has been very much what might have been anticipated. If the Provincial proportion of suits in the classes referred to by the Deputy Commissioner of Bilaspur has increased, so too has the Provincial proportion of suits on written obligation, the class in which contested suits might be expected to be least common.

Dismissals for default.

24. The proportion of dismissals for default is highest in Damoh and Bilaspur, Sambalpur and Betul show badly as they did last year. The same remark applies to Hoshangabad, but Jubbulpore shows a much improved percentage. The Deputy Commissioner of Damoh attributes the result to the unpunctuality and extreme carelessness of the people of the district. And, no doubt, something may be attributable, as was pointed out last year, to locally acquired habits. The Deputy Commissioner of Raipur, who also has a high proportion of dismissals, records that he has examined about 50 per cent of the cases dismissed in default by the officers in whose Courts dismissals were most frequent, and has found the procedure justified by the circumstances. The Deputy Commissioner of Bilaspur has also kept a check on the procedure of the Subordinate Courts in this respect, and he writes :—"Sometimes, though rarely, I have had to point out that more consideration should be shown to suitors who were absent, especially when the presiding officer of the Court was on tour." The Deputy Commissioner of Sambalpur, on the other hand, has a special explanation to offer.

> "There can be no doubt as I have ascertained by inspection of their proceedings that both the late Tahsildars used by frequent postponements to tire out parties, and then eventually strike off cases for default. * * * In the 2nd quarter, a large number of cases were dismissed for default, because owing to a fear of cholera plaintiffs and defendants would not come to Sambalpur. At first the Courts took to postponing such cases from time to time, but I thought it better that they should be struck off and brought on the file again after the disappearance of the disease, should the plaintiffs apply for their cases to be restored to the files."

The Deputy Commissioner of Hoshangabad has also recorded that on an examination of 73 cases dismissed by the Tahsildar of Hoshangabad he found that many had been dismissed "most improperly."

The Officiating Judicial Commissioner is glad to see that greater attention is being given to the subject, and that the practice of the subordinate Courts is being brought under regular scrutiny. He believes that dismissals for default are very often due to impatience and a want of thoroughness and care on the part of Judges in fixing and altering dates for hearing. It is certainly singular how in almost every district where the proportion of dismissals is high, the fault is attributed to one or two special Courts; and there is, therefore, every reason to believe that the officers, who are charged with supervision of the Courts, have it in their own hands to bring about a salutary improvement in the procedure of the Courts subordinate to them.

Decrees on confession.

25. The proportion of decrees on confession has increased, and this result would at first sight appear to be not readily reconcilable with the general results of the year. A decline in suits of small value might have been expected to have been followed by a decline in decrees on confession. But it will be remembered that the decline only affected suits on unwritten obligation, while suits on written obligation, the class in which decrees on confession would ordinarily be most numerous, increased in proportion to last year's figures.

The percentage of these decrees is highest in Nimar and Chanda, as it was last year, and both district reports are silent on the point. At Saugor, on the other hand, which was last year classed with Nimar and Chanda, the percentage has fallen off from 34·4 to 26·3. At the beginning of the present year Colonel Loch gave special attention to the subject; and though in referring to teh

returns of 1877 he wrote that he had satisfied himself that the Judges at Saugor duly verified confessions, and that the preponderance of such confessions was not due to any defective procedure, it may not unfairly be concluded that the special enquiry and the presentresults stand to each other, to some extent, in the relation of cause and effect.

The districts which show the chief increase during the present year are Nagpur, where the actual numbers have risen from 6,032 to 6,102; Seoni, where the numbers have risen from 410 to 468; and Sambalpur, where they have risen from 431 to 470. The Deputy Commissioner, Nagpur, says:—"I would attribute this result partly to the larger proportion of suits of the two lowest value grades that were disposed of in this district, than in the Province generally, as the proportion will always be naturally highest in suits of small value." This explanation, which may be true enough as regards Nagpur, where the conditions of the year's litigation were special, is evidently not of general applicability. In other districts the fluctuations have not been noticed, although the Deputy Commissioner of Chhindwara, with an increase of 4·6 per cent, writes that "confessions "of judgment bear about the same proportion to the number of suits which "they usually do." Probably no very valuable conclusions could be founded on too minute an examination of these statistics; but, where the same districts exhibit the same results year after year, there is at any rate room for enquiry. The Bhils, for instance, are said to be always ready to confess judgment on a bond when they have no real answer to make; and though the cases in Nimar against Bhil cultivators can only be very few, there may be local peculiarities in that district, and in Chanda, to account for more than 30 per cent of the year's defendants attending Courts merely to confess judgment. Something may be due to the fact that in backward districts the receipt of a summons is looked upon as an order to attend, whereas with a large urban population the option allowed to the defendant is perfectly well understood; and in some of the lower Courts, certainly, sufficient pains are not taken to verify confessions. On this point the Deputy Commissioner of Bhandara writes:—

> "Ignorant debtors do, I believe, admit a claim in a general way, and this is put down as an admission of the debt, while perhaps, were the whole facts clearly explained to these defendants, they would hardly go so far as to admit such claims in full."

The Officiating Judicial Commissioner has had reason to doubt whether all Judges satisfy themselves that defendants understand the nature of the claim against them; and whether the grounds of their refusal or inability to pay are always fully stated. The defendant's statement should be so recorded as to show on the face of it that the defendant understands the case which he is called upon to meet.

Suits dismissed after *ex parte* hearing.

26. The proportion of suits dismissed after *ex parte* hearing is extraordinarily high in Bilaspur, where it stands at 27·5 per cent. In Sambalpur it is 12·4 percent, and in Damoh 10·8 per cent, but in neither of these districts is the number of such suits materially high. In no other district does the proportion exceed 7 per cent of the total number of suits disposed of. At Bilaspur the numbers have risen from 13 to 52, and the only district which shows a higher number of dismissals *ex parte* is Hoshangabad, where they have risen from 28 to 53. Whether this is attributable to the action of particular Courts does not appear. The total number of dismissals for the whole of the Nagpur district was 120, but 84 of these occurred in the Court of the Registrar, Court of Small Causes, Nagpur.

Suits disposed of *ex parte*.

27. The proportion of suits disposed of *ex parte* is highest in Wardha, Hoshangabad, and Chhindwara. In some cases this has been due to irregular procedure. The Deputy Commissioner of Hoshangabad refers to one of the Tahsildars' Courts which, during the first quarter of the year, disposed of 34 per cent of its total cases *ex parte*, and an examination proved that sufficient care had not been exercised in ascertaining whether defendants had been properly served. The Deputy Commissioner of Chhindwara attributes the increase in his district partly to the absence of any

provision in the present Code of procedure enabling the Courts to compel the attendance of defendants. The Commissioner of the Nerbudda Division is obviously right in declining to accept this explanation without verification. The Deputy Commissioner of Bhandara refers to a difficulty in *ex parte* cases which has been experienced in that district, owing to the necessity of proving the service of summons under Section 82 of the Civil Procedure Code. He states the case as follows :—

> " A *mazkuri* is entrusted with 18 or 20 processes of kinds. He serves one, say 12 miles off, on a defendant, and sends the summons back by post. In the meanwhile he has to go on with the rest of the processes for several miles further. He cannot return by the date fixed for hearing in the summons which he had sent back by post. The defendant fails to appear, and the plaintiff and witnesses are informed that the case cannot go on, till the evidence of the mazkuri is taken to prove the service, and it is unknown exactly when the man will be back. This must have been the case, I venture to say, in all districts and it cannot have been of very unfrequent occurrence. Some remedy for this is very necessary. Doubtless the precaution is a good one as regards defendants, but it entails hardship very often on plaintiffs and their witnesses."

The Commissioner of the Nagpur Division writes to the same effect :—

> " In many cases no time is given for the process-server, who takes out the summonses, to return before the date fixed for hearing, and bring back with him the process served and depose to his having served it. In some places I have found a vicious practice to exist of the process-server handing over the original summons as well as the copy to the person on whom he serves it, and desiring him to take it and deliver it to the Court. It was urged in defence of the practice that the process-server could not return in time. He could not be back by the date fixed for hearing. It thus frequently happens that even in uncontested cases several hearings occur."

The remedy for this is entirely in the hands of the Courts. The dates for hearing must be fixed, if necessary in communication with the officer responsible for the serving of the processes, so as to allow of the return of the process server in time. And if the effect of the new provision as to proof of service be that judges find themselves compelled to give more thought and care to the fixing of reasonable dates of hearing, the section will have an ulterior advantage which was not contemplated.

Suits instituted *in formâ pauperis.*

28. The number of suits instituted *in formâ pauperis* was only 29, a decrease of 20 as compared with last year.

Commissions issued for local investigation.

29. The number of commissions issued has not fallen off in proportion. The highest number were issued in the Narsinghpur district chiefly, it appears, by the Courts of Tahsildars and Naib Tahsildars. The Deputy Commissioner seems to consider that too great a use has been made of Section 392, Code of Civil Procedure.

Commissions issued to examine accounts.

30. In contradistinction to the results of last year the numbers of these commissions have increased actually as well as proportionately. The largest number were issued in the Hoshangabad and Wardha districts. Some complaints are made of the delays of Commissioners, and the remarks of the Deputy Commissioner of Hoshangabad deserve to be quoted on this point. He says :—

> " Commissioners are no doubt frequently dilatory, but if due care be shown in the first instance in selecting a Commissioner, and explicit instructions communicated to him, and a reasonable time given for compliance, the commission will be executed within the time allowed."

The Officiating Judicial Commissioner has in several cases had to comment on the tendency in some Courts to refer the main issues in suits to Commissioners for trial ; and to order "local investigations" or examination of accounts,

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without specifying the exact points on which the Commission is to report. If the points to be investigated by Commissioners were always set down in plain language, the Courts would sometimes discover that they were delegating their own judicial duties to untrained and comparatively irresponsible persons; and in other cases, where the reference was in itself proper but defective on account of the general terms in which it was made, they would find their labours much facilitated and shortened by letting Commissioners understand more clearly what was wanted of them.

In none of the reports is anything said of the manner of selecting Commissioners, or of the quality and status of persons employed; but the subject is a very important one, and the Officiating Judicial Commissioner proposes to consider it separately.

Cases referred to arbitrators for decision.

31. The number of cases referred to arbitrators for decision continues to be highest in Jubbulpore, Saugor, and Raipur. In the last named district there were 41 cases of reference to arbitrators, and 25 out of these were referred by two particular Courts. The procedure is also said to have been irregular in some instances. Neither at Jubbulpore nor Saugor is any explanation of these figures attempted; but here, again, a local peculiarity might be traced to its source without much trouble.

Almost all the cases of arbitration in Nagpur, 122 in number, were in the Court of Small Causes, Kamptee. Major Vertue writes :—

> "Arbitration was much more largely resorted to, and I have given every encouragement I could to this method of adjusting cases, believing that when due care is taken it is a most valuable aid to a judicial officer and most beneficial to the parties."

Other officers consider that reference to arbitration only leads to a waste of time in the majority of cases, but at Kamptee it seems to have been attended with success. If it be borne in mind that the object of arbitrators is ordinarily to satisfy both parties as far as possible, by effecting some sort of compromise, there will be no difficulty in understanding why eager suitors should be loth thus to settle their suits.

Decisions on oath of party.

32. There has been a falling off of 172 in the number of cases decided on special oath by the parties, due probably to the decrease in litigation. Nimar still shows by far the highest number of these decisions, although they have declined from 149 in 1877 to 128 in 1878.

The Deputy Commissioner of Nimar gives the following details as to the Courts in which these decisions were given:—

> "This mode of settling a claim seems most in favour in Burhanpur, and was resorted to in 11 cases in the Assistant Commissioner's Court, in 22 in the Tahsildar's Court, and in 41 in the Naib Tahsildar's Court; one of the presiding officers in which, Jairam Ganesh, seems to have rather a partiality for this procedure, as besides the 29 suits he so decided this year I see that in 1877 he decided 45 suits in the same way."

Narsinghpur has 62 cases decided in this way, but no other district has as many as 50, except Nagpur, which returns 152, the great majority of which were in the Small Cause Courts. No doubt Judges are personally responsible, in a great measure, for decisions of this character; but it would seem that the practice, when once it has acquired local sanction, does not readily die out. Nimar supplies a striking instance of this. For years past it is believed that there has existed a proclivity among certain classes of suitors to propose the test of a special oath; but whether the suit is actually decided or not upon the challenge will depend very much on the idiosyncracy of the Judge. Where the practice is acceptable to the people, it is a great pity not to take advantage of it.

33. There are fewer suits than last year in which costs have been thrown upon successful plantiffs, but the proportion of these suits is quite as high.

Costs decreed against winning plantiffs.

At Nagpur and Hoshangabad there have been large increases, the numbers having advanced in the former district from 631 to 900, and in the latter from 124 to 246. A number of other districts show an actual increase, but Saugor and Narsinghpur still stand at the head of the list with 419 and 321 respectively. For the district of Saugor the numbers were 398, which included 305 cases in which Pleader's fees were disallowed.

It might have been expected that some sort of ratio could be established between the number of decrees on confession and the number of suits in which costs were decreed against plantiffs, and Saugor does show a very large number of cases decreed on confession. On the other hand Nimar and Chanda, which have the highest proportion of suits decided on confession, do not show any large number of cases in which costs were disallowed. The Deputy Commissioner of Nagpur has examined the returns of the Courts in his district on this head without, however, obtaining much result. In dealing with particular Courts the check may prove useful, and there is no doubt that in many districts still further attention is required to this point. The Deputy Commissioner of Hoshanagabad says:—" I do not think that even yet the costs of plaintiffs are disallowed in " cases as often as they might be." As soon, however, as the penalty of disallowing costs to plaintiffs who have neglected to demand payment out of Court is generally enforced, plantiffs will no longer neglect this simple precaution, and the figures under this head will certainly fall off.

34. Decrees by instalments have increased in number at Balaghat, where the suits have been in excess of last years returns, and at Hoshangabad, Betul, Seoni, and Nimar, where litigation has decreased. At Seoni the number of these decrees has risen from 80 to 217, and the Deputy Commissioner expresses a hope that the Courts will "avail themselves still more of this most salutary provision." At present the number is not high in comparison with the number of suits. But it would seem that the Court of one Tahsildar was responsible for the greater majority of these decrees. The Deputy Commissioner records that he has satisfied himself, by examining most of the cases, of the sound discretion exercised by this officer; but it must be remembered that the procedure of the Courts should be, as far as possible, uniform and smooth, and that to encourage a particular Court to make a special use of any provision of the law will not tend to this result. These remarks are the more necessary, because the present Deputy Commissioner of Seoni has lately been transferred from Nimar, where the number of decrees by instalment has reached the high figure of 1,244, and the Commissioner writes that "the Subordinate Courts seem to have "decreed instalments indiscriminately." The present Deputy Commissioner comments upon this subject as follows:—

Payment by instalments.

> " I have reason to believe that the practice of giving decrees for payment by instalment is being overdone. I have noted several cases in appeal lately when payment by small instalments was decreed without any valid reason to the manifest detriment of the just claims of the plaintiffs."

It was suggested last year, when the number of decrees out of a much larger number of suits disposed of was only 811, that there might be a possible defect in practice, and that the attention of the Deputy Commissioner should be given to the subject. No notice, however, appears to have been taken of this, and the number of decrees by instalments in Nimar with 6,000 suits is now in excess of the number in Nagpur with 21,000 suits and two Small Cause Courts. The very fact that it has been possible to assign the practice of the Courts in this respect as a reason, year after year, for the diminished institutions ought to have led to a careful watch on the Courts in order to prevent creditors from being deprived of their rights. From enquiries which were made during the course of the year it appeared that the grounds on which some of the Nimar Courts justified their decrees by instalments were, in many instances, any thing but tenable grounds. "That the claim was not for cash lent but for goods sold," "that the "terms of a bond were rather hard," or that a debt was due by a surety, are none of them reasons in themselves for refusing a creditor a decree in full. Indeed

with regard to the first of the grounds quoted it would be impossible to conceive a case in which a creditor was more equitably entitled to a decree for immediate payment than the case of a shopkeeper suing to recover the price of goods already supplied by him.

Durations.

35. Durations are higher than last year. The average number of days required for the disposal of every contested suit has been 31·8 days, and for every uncontested suit 21 days. There are special reasons for this increased duration. The Civil vacation in 1877 fell in December, and therefore all cases pending at the end of the year were brought on the files of 1878 with an extra month's duration. The same thing had occurred from 1876 to 1877, and so far the two years can compare on an equal footing; but during the present year the Civil vacation was altered to May instead of December, and therefore in the results of the year the effects of two months' vacation have to be allowed for instead of one. A number of the districts, again, have suffered more or less severely from cholera, which necessitated the postponement of many cases which would not otherwise have been postponed. Finally, in one or two particular districts there were exceptional causes at work to bring about high durations. In Sambalpur a number of the usual Courts were closed owing to the presiding officers being obliged to proceed on special duty. On account of the unavoidable postponements entailed by their absence the average duration of contested suits in the Sambalpur district stood at 95 days for the first quarter of the year, and it now stands at 49 days for the entire year. In the Nimar district an important case, transferred from Harda, occupied 536 days with the result of abnormally increasing the district average duration. On the subject of durations generally the Officiating Judicial Commissioner again calls attention to the remarks of the Commissioner, Nagpur:—

"My experience is, that our Courts, as a rule, fix too near a date for the first hearing or disposal of a case, and then err again when they adjourn a case by leaving too short an interval before the next hearing. I think that in very many cases both plaintiffs and defendants and witnesses too, are harassed because our Courts are over anxious to decide Civil cases in a short time. Take the statistics of durations in the Nagpur district. There in the Courts of Tahsildars the durations in contested cases varied between 21 days and 47; in uncontested cases between 14 days and 26, and yet on an average there were 3 hearings in *every* case. Be it recollected that not one suit in three was contested in these Courts, and one may ask how was it possible that so many hearings should be necessary. In the Courts of Small Causes, where the proportion of contested cases was not much smaller, the average number of hearings per suit was less than 2. I am by no means satisfied either that in all Courts the number of hearings is correctly shown. If it be desired to see whether cases are decided with reasonable promptitude, and yet conveniently to the parties, let column 25 of Civil Statement II. be split up into two, one showing the number of hearings in contested, and the other the number of hearings in uncontested suits, and if several hearings are shown against uncontested suits, it will be known that the Courts either did not keep to their dates, or else that the suit could not be gone on with because the summonses had not been served, or some similar reason. I repeat what I said last year, the anxiety to have short durations is the cause of long ones. I rarely find a Tahsildar who, when a plaint is filed, at once appoints a day for final disposal of the case. I generally find that the notice to the defendant fails to state whether the date fixed is for the final disposal of the case or for the settlement of issues. As a rule, the date of hearing is fixed far too soon to permit of the defendant making arrangements for getting his witnesses, &c., in case the date fixed is for the disposal of the case; and the cases are numerous in which a summons is served on a defendant living 18 or 20 miles or more away from a Court, informing him that he has to appear the next day or the next day but one.

"An average duration that is very well for a Small Cause Court having small territorial jurisdiction, would not be appropriate to Courts differently circumstanced. The Judge of the Court of Small Causes at Nagpur shows a duration of 30 days in contested and 21 in uncontested cases, and 1·6 hearings in each suit. I should not expect to see Tahsildars' and Naib Tahsildars' Courts show a shorter duration. What I should like to see is ample notice given to defendants of the date fixed for hearing and far more cases than at present disposed of at the first hearing."

It cannot be too clearly understood by the Courts that it is not necessarily the fact of a long duration, but what a long duration in the majority of instances implies, which the officiating Judicial Commissioner has had to condemn. In

most of the cases in which continued high durations have called for notice, the explanations submitted have carried their own condemnation. What the Officiating Judicial Commissioner wishes to see is an intelligent desire to secure such promptitude in the disposal of work as is compatible with the convenience of the public, showing itself in care to fix reasonable dates for hearing, and in method and exactitude in taking up cases and making adjournments. Numerous hearings and frequent postponements almost always indicate defective arrangements and imperfect control over the working of subordinate Courts. Many of these defects may easily be avoided by greater system, and more consideration for the public, on the part of the Judges themselves. For others again the lower Courts, and especially those of the Tahsildars and Naib Tahsildars, are not altogether responsible. The Officiating Judicial Commissioner finds it necessary constantly to remind Deputy Commissioners that those of their subordinates who are entrusted with judicial as well as with executive functions, should not be ordered away from their head-quarters without sufficient notice, except in cases of extreme emergency. But the point does not even yet seem to have attracted sufficient attention. Thus the Deputy Commissioner of Bilaspur writes:—"The "Tahsildar of Mungeli had to go out frequently into camp both on inspection "duty, and to accompany superior officers on tour; and as his work is very "heavy and difficult the 73 cases left pending by him at the close of the year "is not a greater number than might be expected." Again in the Jubbulpore district report it is said that "Tahsildars and Naibs have been often in conse-"quence of absences, necessitated by their various executive duties, unable to "take up their cases on the dates originally fixed." On the other hand, the Deputy Commissioner of Betul has very properly ordered that "in the event of a "presiding officer being called out for executive work, he shall at once report the "fact, with a view to his causes being transferred and heard on the dates fixed." With proper arrangements the Officiating Judicial Commissioner believes that it should very rarely be necessary for a Judicial Officer to leave the place where his Court sits so suddenly as to be unable to give notice to the parties, either of postponement or of transfer to some other Court. Most of the executive duties of Tahsildars and Naib Tahsildars can as well be performed at stated times, foreseen and provided for in advance, as at haphazard; and it is questionable whether the advantages derived by a superior officer from attendance on him, during his tour, of Judicial Tahsildars and Naib Tahsildars, are not more than counterbalanced by the consequent obstruction to the working of their Courts, and therefore to their general efficiency. In this respect Deputy Commissioners may and should do much to promote promptitude and punctuality in the disposal of suits.

But as the Commissioner of the Nagpur Division points out, the Courts themselves are largely responsible for delays arising out of imperfect procedure. The omission to fix cases for final disposal is not peculiar to the Nagpur Division. In one district only of those which he has been able to inspect this season, has the Officiating Judicial Commissioner found any persistent attempt thus to dispose of simple cases on the first appearance of the parties. In many districts these provisions of the law are altogether overlooked, the summonses issuing for final disposal, and the lithographed entries on the fly sheet to the same effect not being scored out, whilst on arrival of the parties a further postponment is allowed, as a matter of course, for the production of evidence.

It is plain that these defects might be considerably diminished if district officers periodically examined the work of their subordinates, and in this duty their labours would be materially lightened by putting the statistical returns to their proper use. On this point the Deputy Commissioner of Narsinghpur remarks:—"good averages are not always possible, and it is, I think, preferable "to permit a little laxity in this regard, than to make statistics the dominant "consideration." Some pains were taken to point out last year that statistics in themselves are only means to an end. In gathering together a number of scattered facts and figures they serve, or should serve, to direct a supervising officer's attention to points on which enquiry is needed. If Deputy Commissioners can so thoroughly inspect the cases of their subordinates as to be able to dispense with the guidance afforded by the returns, so much the better, but unless they can thus make themselves independent of statistical indications, all abnormal averages should at once lead to examination of cases. The Officiating

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Judicial Commissioner, fears that this most important duty is still imperfectly recognized by many officers; though the district reports and the quarterly returns show that it has been better observed than in former years.

Hearings.

36. The number of hearings is exactly the same as last year. The subject has already been referred to in dealing with *ex-parte* decrees and durations.

Pending files.

37. The same tendency to show a suspiciously clear file has been noticed this year as it has been in former years.

D.—Appellate Business (B. 9 and IV.)

Appeals to the Judicial Commissioner, Commissioners, and Deputy Commissioners.

38. The number of first appeals during the year is shown below.

	Courts of Deputy Commissioners.		Courts of Commissioners.		Court of the Judicial Commissioner.		Total.		Percentage on— Contested cases in 21,889	Percentage on— Contested cases in 18,085
	1877	1878	1877	1878	1877	1878	1877	1878	1877	1878
From decrees: Of ordinary Civil Courts ...	3,093	2,831	562	559	...	...	3,655	3,390	16·7	18·7
From decrees: Of Courts under the Rent Law.	...	...	373	379	...	...	373	379	...	...
From orders ...	163	188	83	91	...	...	246	279	...	...
Total ...	3,256	3,019	1,018	1,029	..	...	4,274	4,048	...	...

The general appellate business has not been much affected by the decrease in litigation, and the number of appeals preferred to the Courts of Commissioners is actually larger than it was last year.

The increase occurred mainly in the Nerbudda and Jubbulpore Divisions. In the Nagpur Division there was a decrease of 67 appeals disposed of, and though there was an increase in the Chhattisgarh Division, it was an increase almost entirely in appeals under the Rent Law. Civil appeals were 98 as compared with 82 in 1877. The effect, however, of the opening of the Additional Commissioner's Court at Jubbulpore has been very striking. Last year the number of appeals disposed of in the two Northern Divisions was 574, and this year, with a material decrease in general litigation, the number is 757. The Officiating Judicial Commissioner has not sufficient details before him to enable him yet to express any confident opinion on this result, but the year's returns certainly show that the opening of new appellate Courts has tended to increase the number of appeals disproportionately.

Judicial Commissioner ...	172
Nerbudda Commissioner ...	217
Additional Commissioner ...	368
	757

The appellate work of the Deputy Commissioners has increased in proportion, as compared with the results of last year, and in the following districts there has been an actual rise in the number of appeals, notwithstanding the fall in the number of original suits:—

	1877.	1878.
Hoshangabad ...	402 ...	425
Saugor ...	221 ...	231
Raipur ...	182 ...	229
Bilaspur ...	73 ...	177
Jubbulpore ...	137 ...	145

The increase has been most marked at Bilaspur, but the result is due chiefly to the fact that during the year appeals from the Extra-Assistant Commissioner's Court have lain to the Deputy Commissioner and not to the Commissioner. The Hoshangabad returns have already been discussed, * and as regards the other districts it may be pointed out that at Jubbulpore litigation was on the whole stationary, and that at Saugor the contested suits were only eleven less than last year. The result at Raipur has not been explained.

*Paragraph 5.

39. Appeals first and second (special) were disposed of (otherwise than by transfer) as shown below.

Disposal of appeals

Courts.	Applications for special appeal rejected.		Dismissed for default.		Remanded for retrial.		Decree of Lower Court.						Total disposed of
							Modified		Reversed.		Confirmed		
	Number.	Percentage of total appeals	Number.	Percentage of total appeals	Number	Percentage of total appeals.	Number.	Percentage of total appeals.	Number.	Percentage of total appeals.	Number.	Percentage of total appeals.	
	2	3	4	5	6	7	8	9	10	11	12	13	14
Court of the Judicial Commissioner	282	56	5	1	75	15	11	2	71	14	63	12	507
Courts of the Commissioner—													
Nagpur ..	...	...	12	4	19	8	25	10	48	20	144	58	248
Jubbulpore ...		...	6	4	18	10	16	9	24	14	108	63	172
Nerbubda ...	..	...	27	12	29	14	18	9	47	21	96	44	217
Chhattisgarh ...	...	...	27	15	25	14	13	7	51	28	66	36	182
Additional Commissioner, Nerbudda and Jubbulpore Divisions ...	...	...	12	3	55	15	36	10	65	18	200	54	368
Total ...	...	..	84	7	146	12	108	9	235	20	614	52	1,187
Court of the Deputy Commissioner, Nagpur, and of Assistant Commissioner with powers of Deputy Commissioner ..	...	...	15	5	37	11	18	6	55	17	198	61	323
Chanda ..		...	4	6	5	7	6	9	11	17	40	61	66
Bhandara ...			14	14	10	10	14	14	22	22	40	40	100
Wardha ..		..	18	8	22	9	15	6	48	20	138	57	241
Balaghat .	..	..	9	16	6	11	3	5	7	12	31	56	56
Jubbulpore ...	..	...	9	6	14	10	8	5	24	17	90	62	14[illegible]
Saugor ...	.	.	33	14	26	11	20	9	40	17	112	49	231
Damoh ...	..	...	4	6	7	10	1	1	4	6	54	77	70
Seoni ..	..	...	2	2	1	1	10	12	9	11	63	74	85
Mandla ...	..	...	2	8	2	8	2	8	6	24	13	52	25
Hoshangabad	..		36	9	77	18	34	8	73	17	205	48	425
Betul	..	...	14	15	6	6	2	2	12	12	63	65	97
Narsinghpur ...	..	...	39	11	21	6	25	7	65	19	199	57	349
Chhindwara ..	...	...	13	9	9	6	9	6	29	21	83	58	14[illegible]
Nimar ..	..	...	9	5	15	8	19	10	25	13	121	64	189
Raipur ...	...		40	17	31	14	24	10	41	18	93	41	229
Sambalpur ..	...	...	23	26	8	9	4	4	18	20	37	41	90
Bilaspur ...	...	...	29	16	20	11	10	6	22	13	96	54	177
Total ..	...	...	313	10	317	11	224	7	511	17	1,676	55	3,041
Grand Total ..	282	6	402	9	538	11	343	7	817	17	2,353	50	4,735

The number of second appeals to this Court goes on steadily and largely increasing, notwithstanding the diminution in the number of original suits, and the fact that the proportion of unsuccessful appeals has materially risen. Last year the percentage of second appeals rejected without notice to respondents, as disclosing no error of law or material defect, was 48. This year, as will be seen from the statement, it is 56; and thus the percentage of unsuccessful appeals has increased from 63·4 to 68·. It will be therefore evident that the increase is largely due to the institution of ill-advised appeals; and their want of success has hitherto had no effect in preventing others. The augmentation of the work of this Court will be more apparent by comparison of institutions than of disposals, for owing to a large influx of appeals at the beginning of November, after the October vacation, a more than usual number remained undisposed of at the end of the year. The number of second appeals instituted in 1878 was 559 as against 389 in 1877, the percentage of increase being thus 43·7.

The Court of the Commissioner of the Chhattisgarh Division has by far the lowest percentage of decrees confirmed. Referring to this, the Commissioner writes:—

> "I much regret this result, but I can only say that I never reversed the decision of a Subordinate Court, except where I felt that I could not honestly uphold it."

Dismissals for default were somewhat numerous in the District Courts of the Chhattisgarh Division. No explanation is given of this apparent shortcoming, except in Sambalpur, where it is attributed to the prevalence of cholera and to the enforced absence of the Deputy Commissioner in the Feudatory States during the first part of the year. The only other remark suggested by this table is that either the decisions of Subordinate Courts have been exceptionally good, or that the District Courts have been disinclined to disturb their decisions in Damoh and Seoni. In the former district 17 decisions only, out of 70 appealed, were interfered with. In the latter interference went somewhat further, extending to 24 cases out of 85.

Duration of appeals.

40. The duration of appeals in the Commissioners' Courts cannot be fairly compared with the duration shown last year. The Additional Commissioner's Court shows an average duration of 32·7 days only. It was to be expected that appeals should be much more rapidly and methodically disposed of by a stationary Court, with nothing to interrupt the regular work of hearing appeals, and it may be noticed that the percentage of appeals dismissed for default in the Additional Commissioner's Court was not higher than 3 per cent of the total disposals. On the other hand, the duration of appeals in the Court of the Commissioner of the Chhattisgarh Division was over 91 days. The Commissioner gives the following explanation:—

> "This high duration was solely due to the circumstance that during the last quarter of 1877, and the beginning of 1878, the then Commissioner (Lieutenant-Colonel C. L. R Glasfurd), in arranging for an extended tour fixed the first hearings of appeals for dates long after that on which the appeals were instituted. I received charge of the Division on the 18th February 1878."

He then gives a table showing the duration of cases in relation to the date on which he assumed charge, and adds:—

> "It will thus be seen that the 100 appeals instituted and disposed of after the 17th February 1878 had an average duration of 49·1 days."

The duration of appeals in the Court of the Judicial Commissioner was 43·4 days.

Pending files

41. The number of appeals pending in the Commissioners' Courts at the end of the year was very small. The special reason for the large number pending in the Court of the Judicial Commissioner has already been referred to. The pending files in the Deputy Commissioner's Courts were not heavy.

E.—Execution of Decrees (B. 10 and III).

Applications for executing decrees.

42. The number of applications for execution of decrees has fallen off in every district, with the exception of Balaghat and Sambalpur. Generally speaking, this decrease may be said to have followed the common decrease in the year's litigation. The Commissioner of the Nerbudda Division writes:—

"Some District Officers here comment upon the action of Section 230 of the new Civil Procedure Code which requires greater diligence on the part of decree-holders to obtain complete satisfaction of their decrees, and certainly the procedure under this section deserves careful observation. But it is too soon yet to hazard any comparison of the real effect of the new procedure, either in this or other points, for the Courts are as yet hardly familiar with the Act which has not had time to permeate among the people."

No doubt the effects of a new provision cannot be expected to be very apparent yet, but it is still worthy of notice that the proportion of cases struck off without execution has materially and generally decreased. Taking the Nerbudda Division itself, it will be seen that the proportion has fallen from 50·8 to 40·8 at Hoshangabad; from 39 to 28 at Narsinghpur; from 35 to 18 at Chhindwara; and from 57·3 to 37·2 at Betul. The same with regard to Saugor. Last year in 47 per cent of the cases brought on the Courts' files no execution was attempted, but during the present year the percentage of these cases was only 34 per cent of the whole. As the Provincial proportion during the two previous years was stationary, it may probably be inferred that the present result is connected with the introduction of Act X of 1877.

Insolvency provisions.

43. Various opinions have been expressed about the chapter on Insolvency in the new Procedure Code. One Deputy Commissioner thinks that the provisions of the chapter will cause a diminution in the numbers of debtors arrested. Another considers that "they only operate to keep insolvents longer in jail than they would be under "the old Code," but he does not show that in his district these provisions were properly understood. The statistics show that in nine districts the law on the subject was never put into use; and that, as regards the remaining districts, out of a total of 68 persons declared insolvent during the year, 52 belonged to Nagpur. Further than this, special enquiries, made during the last quarter of the year, proved that little was known about the working of the Insolvency provisions, or the general feeling of the people regarding them. Such opinions, therefore, as those referred to must be purely speculative, and can be of no great value.

Sale of immoveable property.

44. Rules to regulate the sale of landed property in execution of decree were published by the Chief Commissioner in July, and there has been no sufficient time yet to judge how they have been worked by the Courts.

Process fees.

45. In many of the districts no attempt has been made to reduce expenditure in proportion to the falling off of Process fees. The Commissioner of the Nerbudda Division writes:—

"There has been a considerable decrease in the total income from process fees, due to a decline in Court litigation. In four out of five districts expenditure did not decrease in proportion. In Hoshangabad the work of process serving was well watched and expenditure kept under. In the other districts it was not so, and the result was that expenditure was equal to half, if not more, of actual receipts."

In two or three districts compensation for the dearness of grain was paid to the process-servers, with the effect of preventing the proportionate decrease in expenditure which would otherwise have occurred. In Sambalpur, however, 444 processes issued free of cost. This, it is explained, was necessitated by the absence of the Deputy Commissioner in the Feudatory States, and was also due in part to mistaken instructions as to issue of processes, free of cost, in cases returned

from Appellate Courts. It seems necessary, however, to remind District Officers that they are bound to look beyond the sanctioned scale which is professedly a fluctuating one, and to check their process-serving establishments by a direct comparison between receipts and expenditure.

I have the honor to be,

Sir,

Your most obedient Servant,

A. U. FANSHAWE,

Offg. Registrar.

NAGPUR:

28th February 1878.

17 3 79 1C 254 220

PRESCRIBED STATEMENTS.

Judicial Statement B.1.

Showing the various Judicial Tribunals, Original and Appellate, existing in the Central Provinces on the last day of the year 1878.

Classes of Tribunals, distinguishing those which exercise powers in one Department from those exercising powers in two or three Departments, and those consisting of paid and unpaid Judges.		Number of Judicial Divisions.	Average area of each Division in square miles.	Average population of each Division.	Number of Tribunals.	Constitution of Tribunals, stating number of Judges in each and Jury or Assessors, if any.	Judicial powers of each Tribunal, Original or Appellate.	Total number of Judges. European. Covenanted.	Commissioned Military Officers.	Uncovenanted.	Native.	Average annual salary of each Judge. European.	Native.	Total cost of Tribunals.	Net receipts from Stamps.	Executive or other functions exercised by the same Officer.	Average number of days in the year devoted to Judicial work.	Average number of advocates attached to each Tribunal.	Number of cases decided during the year. Criminal.	Civil.	Revenue.	Appellate.
1		2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
Magistrates of the second and third classes exercising Criminal powers only.	Paid	2	2,600	109,961	2	A single Judge presides over each Court. Jury or Assessors not employed.	Each Judge has powers of a Magistrate of the 2nd or 3rd Class under the Code of Criminal Procedure.	...	...	2	...	4,550	...	...	...	The paid Judges are (1) a Civil Surgeon and (2) an Asst. Conservator of Forests: the former exercises the powers of a Magistrate 2nd class, and the latter that of a Magistrate 3rd class. These officers are Tahsildars (Sub-Collectors,) Assistant and Extra-Assistant Commissioners; they are employed generally in administrative work of the district to which they are attached.	Sundays and general holidays.	Courts of the Central Provinces.	12	...	...	...
	Unpaid	43	866	93,034	61			..	..	..	61	...	...	...	...				6,321	...	....	..
Magistrates of the second and third classes exercising Criminal, Civil, and Revenue powers.	Paid	46	2,037	207,153	54	Do.	Each Judge has on the Criminal side powers of a Magistrate of the 2nd or 3rd Class under the Code of Criminal Procedure, and on the Civil side power to hear suits of value up to Rs. 50, 100, 300, 500, 1,000, according to his powers under the Central Provinces' Courts Act (XIV. of 1865), and has on the Revenue side the powers of a Deputy Collector under the Rent Law (Act X. of 1859, as amended by Act XIV. of 1863).	...	...	1	53	3,600	1,769	Rs. 6,76,911	Rs. 6,91,016					9,292	22,530	6,266	...

Small Cause Courts confined to proper functions.	Paid	...	2	1,195	256,206	3	A single Judge presides over each Court; Jury or Assessors not employed.	One Judge has power to hear suits up to Rs. 1,000 and the other to Rs. 500, under Act XI of 1865; the third Judge is Registrar of one of the Courts, who, under the same Act, is invested with power to hear suits.	...	2	...	1	10,200	3,000	...	...	...	245 days excluding	2 Barristers-at-Law, 2 Attorneys-at-Law, and 66 Pleaders practise in the	...	10,704	...	...
Do. invested also with Criminal powers.	Paid	...	3	1,124	90,657	4	Do.	One of these Judges under Act XI of 1865, and two under Acts XI of 1865 and XXII of 1864, have power to hear suits up to Rs. 500 in value. Three of these Judges exercise the powers of a Magistrate. The remaining Judge is the Registrar of one of the Courts, who himself has only Civil powers to decide suits up to Rs. 20.	...	3	...	1	7,600	1,920	...	...	Three of these Judges are Cantonment Magistrates.			1,057	3,963	...	...
Do. invested also with ordinary Civil or Revenue powers	Paid	...	1	10	14,536	1	Do.	This Judge has on the Criminal side the powers of a Magistrate, and on the Civil side jurisdiction in suits not exceeding Rs. 500 in value, and of a nature cognizable by Courts of Small Causes. He is also invested with the powers of a Collector under the Rent Act, except only the power to hear appeals. His jurisdiction as above is confined to Cantonment limits.	...	1	...	..	8,400	...	Rs. 670,911	Rs. 691,016	This officer is the Cantonment Magistrate of Saugor			455	300	25	...
Naib Tahsildars invested with Civil powers only.	Paid	...	29	1,764	185,579	39	Do.	Each judge can hear suits up to Rs. 50 in value, under Section 6, Act XIV of 1865, "The Central Provinces' Courts Act."	...	...	...	39	...	679			These officers assist Tahsildars in the general administration of Sub-divisions of Districts (Tahsils) to which they are posted.			3	26,72[illegible]	...	...
Magistrates of the first Class (not Magistrates of Districts) invested with Criminal powers only.	Paid	..	..	...	...	..	A single Judge presides over each Court: Jury or Assessors not employed.	The full powers of a Magistrate under the Code of Criminal Procedure.	...	..	...	...	...	...			These officers are Honorary Magistrates; they exercise the powers of Magistrates of the 1st class within their respective jurisdictions.			...	...	...	...
	Unpaid	..	4	1,818	227,315	8			...	...	...	8	...	...						938	...	...	...

Judicial Statement B 1.—(*Continued.*)

Classes of Tribunals, distinguishing those which exercise powers in one Department from those exercising powers in two or three Departments, and those consisting of paid and unpaid Judges.		Number of Judicial Divisions	Average area of each Division in square miles.	Average population of each Division.	Number of Tribunals.	Constitution of Tribunals, stating number of Judges in each and Jury or Assessors if any.	Judicial powers of each Tribunal, Original or Appellate	Total number of Judges — European — Covenanted	Total number of Judges — European — Commissioned Military Officers.	Total number of Judges — European — Uncovenanted	Total number of Judges — Native	Average annual salary of each Judge — European.	Average annual salary of each Judge — Natives.	Total cost of Tribunals.	Net receipts from Stamps.	Executive or other functions exercised by the same Officer	Average number of days in the year devoted to Judicial work	Average number of advocates attached to each Tribunal	Number of Cases decided during the year. — Criminal.	Number of Cases decided during the year. — Civil.	Number of Cases decided during the year. — Revenue.	Number of Cases decided during the year. — Appellate
1		2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
Magistrates of the 1st class (not Magistrates of Districts) invested with Civil and Revenue powers.	Paid ...	27	3,588	346,270	50	A single Judge presides over each Court, Jury or Assessors not employed.	In addition to full Magisterial powers under the Code of Criminal Procedure each of these Judges can hear Civil Suits up to Rs 1,000 or Rs 5,000 in value according to his powers under Act XIV of 1865, and has on the Revenue side the powers of a Deputy Collector under the Rent Law	11	1	8	30	7,470	3,512			These officers are Assistant, and Extra Assistant Commissioners, and Tahsildars who aid Deputy Commissioners in the general administration of the districts to which they are posted.			12,171	13,953	1,818	
Magistrate of the District	Paid ..	18	4,678	449,782	18	Do.	In addition to the full powers of a Magistrate, these officers hear appeals from convictions by Magistrates of the second and third classes They also exercise the special powers of Section 36, Code of Criminal procedure, to try all offences not punishable with death; on the Civil side they can try suits up to any value, and hear appeals from the decisions of Subordinate Civil Courts of their Districts of the four lowest grades specified in Act XIV of 1865 On the Revenue side they have the powers of a Collector under the Rent Law.	3	14	1	...	15,518		Rs. 6,76,911.	Rs 6,91,016.	These officers are Deputy Commissioners invested with administrative charge of Districts	Sundays and general holidays.	Courts of the Central Provinces	2,531	408	24	3,569

Courts of Session exercising also Civil and Revenue powers.	Paid ...	4	21,032	2,023,511	5	A single Judge presides over each Tribunal. He is assisted by two Assessors when trying defended Sessions cases (Criminal.) The 5th Judge is the Additional Commissioner of the Jubbulpore and Nerbudda Divisions, who decides civil appeals only.	These officers preside on the Criminal side over Courts of Session, and try heinous offenders committed by Magistrates to their Courts for trial, and likewise hear appeals from the orders of Magistrates of the 1st Class. On the Civil side Commissioners have no ordinary original jurisdiction, but under Act XIV. of 1865 hear appeals in all suits in which the value is Rs. 5,000 or more; and they also hear appeals from the judgments of Collectors and Deputy Collectors in certain suits under Act X. of 1859 (the Rent Act). They have also special original jurisdiction under Act IV. of 1869, the Indian Divorce Act, and X of 1870, the Land Acquisition Act. In the Revenue Department they are Commissioners of Division, and hear appeals from orders of Collectors under the Rent Law. The Additional Commissioner hears Civil appeals only from all the districts of the Jubbulpore Division and from three out of the five districts of the Nerbudda Division.	3	2	...	...	31,279	..	...	...	Commissioners have administrative charge of Divisions consisting of several districts.	245 days, excluding	2 Barristers-at-Law, 2 Attorneys-at-Law, and 66 Pleaders practise in the	108	...	...	1878.
Court of the Judicial Commissioner.	Paid ..	1	84,963	8,201,519	1	A single Judge presides over this Court unassisted by either Jury or Assessor.	The Judicial Commissioner's Court is the Chief Appellate Court in Criminal and Civil cases. Hearing on the Criminal side appeals from the orders of Courts of Session; and on the Civil side, second appeals from decisions passed on appeal by Deputy Commissioners or Commissioners.—In Criminal cases the Judicial Commissioner has also the power of a Court of reference and revision given by the Code of Criminal Procedure to the Sadar Court.	1	...	..	...	38,000	...			...			...	...	...	687

ABSTRACT.*

Number of Criminal Courts.		*Number of Civil Courts.*	
Magistrates of the 2nd and 3rd Class	107	Small Cause Courts	6
Magistrates of the 1st Class	55	Courts of the Naib Tahsildar	30
Magistrates of Districts	18	Courts of the Tahsildar	51
Courts of Session	4	Courts of the Assistant Commmissioner	35
Court of the Judicial Commissioner	1	Courts of the Deputy Commissioner	18
		Courts of the Commissioner and Additional Commissioner	5
		Court of the Judicial Commissioner	1
Total ..	185	Total ...	146

*Under administrative arrangements Officers exercising both Magisterial and Civil powers are sometimes employed only as Criminal, and sometimes only as Civil Judges, and sometimes as both. This abstract shows the actual number of Judges employed as Criminal as well as Civil Judges at the close of the year.

JUDICIAL STATEMENT B. 6 (Civil.)

Statement showing the number and description of Civil Suits instituted and disposed of in the Courts of Original Civil Jurisdiction in the Central Provinces, in the year 1878.

Class of Tribunals.	Money due.						Rent not falling under the Rent Law.	Recovery of personal property or value thereof.	Damages.				Suits for immoveable property.	Suits for specific performance of contract.	Suits to declare and establish rights to real property, including pre-emption, foreclosure, &c.	Suits to declare and establish personal rights.	Suits for an account.	Suits relating to religious endowments.	Suits to set aside judgments, contracts or obligations on the ground of fraud.	Suits for dissolution of marriage.	Suits for enforcement of matrimonial rights.	Suits for partition.	Suits relating to shipping.	Suits relating to religion and caste.	Total.
	On written obligation for sum certain.	On unwritten promise for sum certain.	On account stated.	For money paid or received.	For goods sold and delivered.	For breaches of contract not included in the above.			For injuries to person attended with direct or actual pecuniary damage.	For injuries to property.	For defamation.	For other injuries not included in the above.													
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26
Small Cause Courts ...	7,524	2,414	354	119	3,253	182	247	605			269		...	...	...	...	...	...	...	...	...	...	...	...	14,967
Sub-Divisional Courts ...	24,218	9,397	725	445	4,982	549	462	8,388			1,610		191	3	4	...	...	...	2	...	...	...	...	...	50,976
District Courts ...	4,979	873	229	87	425	116	61	1,195			464		3,479	54	265	62	38	...	92	5	208	11	...	...	12,645
Superior Courts ...	...	...	...	...	...	...	...	...			4		...	...	...	...	...	..	...	...	1	...	...	..	5
Total ... 1878 ..	36,721	12,684	1,308	651	8,660	847	770	10,188			2,347		3,670	57	269	62	38	...	94	5	209	11	...	...	78,591
Total ... 1877 ...	40,725	16,147	1,556	822	10,599	1,120	747	9,914			2,470		3,689	77	230	111	36	1	100	10	276	10	...	...	88,640

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JUDICIAL STATEMENT B. 7.—(Civil.)

Statement showing the Value of Suits disposed of in the Civil Courts of the Central Provinces in the year 1878.

Value of Suits.	Number of suits disposed of in different Courts.							
	Small Cause Courts.	Sub-divisional Courts.		District Courts.		Commissioners.	Total number of suits.	Total value of suits.
		Naib Tahsildars	Tahsildars.	Assistant Commissioners.	Deputy Commissioners.			
1	2	3	4	5	6	7	8	9
Not exceeding Rupees 5	3,046	5,317	2,622	644	1	..	11,630	38,175
Ditto " 20	5,774	13,021	7,846	2,020	4	1	28,666	3,46,384
Ditto " 50	3,713	6,496	8,193	2,467	2	...	20,871	6,81,059
Ditto " 100	1,863	...	5,359	2,390	10	...	9,122	6,28,490
Ditto " 300	836	...	2,122	3,042	12	...	6,012	10,07,209
Ditto " 500	162	...	...	913	4	1	1,080	4,14,468
Ditto " 1,000	73	..	...	663	10	...	746	5,18,780
Ditto " 5,000	...	...	...	333	75	3	411	8,10,651
Ditto " 10,000	...	...	...	4	31	...	35	2,57,697
Ditto " 100,000	...	...	..	2	15	...	17	3,52,728
Exceeding " 100,000	.	...	...	...	1	...	1	13,10,238
Total 1877	14,967	24,834	26,142	12,478	165	5	78,591	63,65,879
Total 1878	13,632	28,727	31,234	14,602	443	2	88,640	55,47,207

JUDICIAL STATEMENT B. 8.—(Civil.)

Statement showing the general result of the trial of Civil Suits in the Courts of original jurisdiction in the Central Provinces, in the year 1878.

Class of Courts.	Suits remaining from last year.	Filed in this year.	Received by transfer	Total for disposal	Transferred to other Courts	Plaints rejected or returned	Dismissed for default.	Withdrawn with leave.	Compromised.	Decreed or confession.	Decreed *ex-parte*.	Dismissed *ex-parte*.	Contested. Judgment for plaintiff in whole or in part.	Contested. Judgment for defendant	Total disposed of.	Pending.	Over two months.	Over four months	Average duration of Suits. Contested.	Average duration of Suits. Uncontested.	Referred to arbitration.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
Small Cause Courts ...	447	15,110	..	15,557	.	61	2,232	245	1,650	4,370	2,359	99	3,013	938	14,967	590	4	.	22 7	18 4	98
Sub-Divisional tr bunals	1,542	52,190	..	53,732		245	11,088	447	7,262	13,188	5,931	361	9,207	3,247	50,976	2,756	51	1	28 9	20 8	196
District Courts other than Chief Courts of Districts	774	12,309	.	13,083	.	145	1,883	199	901	2,387	1,358	90	3,671	1,844	12,478	605	41	5	39·5	26 2	128
Chief Courts of Districts ...	17	174	..	191	..	2	18	...	4	16	19	...	85	31	165	26	5	4	68 8	32 6	7
Superior Courts ...	1	4	..	5	...	..	1	...	...	...	...	...	4	...	5	...	...	.	60·5	16 5	...
Total { 1878...	2,781	79,787		82,568	..	453	15 222	891	9,817	19,961	9,657	550	15,980	6,060	78 591	3,977	101	10	31·8	21·0	424
Total { 1877..	2,931	88,486	7	91,424	.	722	17,172	897	11,590	22,059	9,662	522	18,368	7,348	88,640	2,784	79	23	28 3	19 1	401

JUDICIAL STATEMENT B 9. (Civil.)

Statement showing the business of the Civil Appellate Courts of the Central Provinces in the year 1878.

Class of Courts.	Remaining from the previous year.	Instituted during the year.	Received by transfer.	Total.	Rejected.	Dismissed for default under Sections 556, 557, Act X of 1877.	Heard *ex parte*			Contested.				Total disposed of.	Pending.	Over two months.	Objections under Section 561, Act X of 1877.	Objections allowed.	Remarks.
							Confirmed.	Modified.	Reversed.	Confirmed.	Modified.	Reversed.	Remanded.						
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
Chief Appellate Courts of Districts ...	235	3,019	...	3,254	..	313	435	23	88	1,241	201	459	281	3,041	213	3	1	1	
Superior Appellate Courts other than Chief Court of Province ...	220	1,070	...	1,290	5	84	102	6	34	512	102	209	138	1,192	98	5	2	1	
Chief Court of Province ...	30	559	.	589	282	5	7	1	20	56	10	57	69	507	82	8	...	...	
Total 1878 ..	485	4,648	.	5,133	287	402	544	30	142	1,809	313	725	488	4,740	393	16	3	2	
Total 1877 ...	512	4,663	...	5,175	187	293	294	50	136	2,275	298	652	462	4,647	528	18	19	5	

JUDICIAL STATEMENT B. 10.—(Civil.)

Statement showing the execution of decrees in the Courts of the Central Provinces during the year 1878.

Class of Courts.	Applications to execute decrees.				Decrees completely executed.	Partially executed.	Pending at the end of the year.	Nature and number of coercive processes issued.						Remarks.
	Pending from the previous year.	Filed in the year.	Received by transfer.	Total.				Imprisonment of person.	Moveable property.		Immoveable property.		Under Section 326, Act X of 1877.	
									Attached.	Sold.	Attached.	Sold.		
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Small Cause Courts	455	9,505	15	9,975	2,483	2,168	627	152	2,180	512	...	...	...	* 17,699 struck off without execution being effected.
Local and Sub-divisional Courts	2,074	22,549	516	25,139	7,895	5,374	2,898	180	6,731	2,629	3,857	1,707	1	† 24,471 struck off without execution being effected.
District Courts	1,261	9,671	221	11,153	3,323	2,584	1,216	127	2,473	1,001	1,841	754	4	
Superior Courts	...	...	...	...	...	...	...	..	...	...	...	...	...	
Total... 1878	3,790	41,725	752	46,267	13,701	10,126	*4,741	459	11,384	4,142	5,698	2,461	†5	
Total... 1877	4,985	59,359	859	56,203	14,332	13,604	†3,796	528	13,890	5,540	9,111	4,021	‡33	‡ All temporary alienations.

JUDICIAL STATEMENT B. 11 (Civil)

Statement showing the use of Juries and Assessors in the Civil Courts of the Central Provinces, during the year 1878.

Classes of Courts in which Juries or Assessors are employed, distinguishing Criminal from Civil Courts.	Established or average number of Jury or Assessors in each case and prescribed qualifications.	Number of cases tried by Jury.	Number of cases with Assessors.	Jury trials.			Assessors trials.		Note showing in what classes of cases Juries and Assessors have been principally employed.	Remarks.
				Verdict in favor of the prosecutor or plaintiff.	Verdict in favor of the accused or defendant.	Jury discharged without verdict.	Number of cases in which Judges agreed with Assessors.	Number of cases in which Judges differed from Assessors.		
Civil Courts. (*Blank*).										

ADDITIONAL STATEMENTS.

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No.

Statement showing the number, description and value of Original Suits

Districts.	For Money due. On written obligation.	On unwritten obligation.	On account stated.	For money paid or received.	For goods sold and delivered.	For breaches of contract not included in the above	For rent not falling under the Rent law.	For moveable property or value thereof.	For damages.	For immoveable property.	For specific performance of contract.
1	2	3	4	5	6	7	8	9	10	11	12
Nagpur ...	11,256	3,017	212	154	2,958	211	188	1,412	364	715	4
Chanda ...	1,582	264	37	32	218	67	9	387	74	40	...
Bhandara ...	1,540	389	2	20	228	62	4	517	103	110	4
Wardha ...	2,416	699	263	40	202	16	24	470	94	188	2
Balaghat ...	766	581	5	4	106	2	7	610	126	48	1
Jubbulpore ...	1,884	1,058	215	93	918	58	116	367	184	382	6
Saugor ...	1,017	559	108	40	395	47	35	804	56	187	6
Damoh .	768	182	24	7	88	18	2	277	32	100	2
Seoni ..	558	391	1	17	233	1	3	383	92	29	2
Mandla ...	124	152	13	28	50	1	4	114	37	14	1
Hoshangabad ...	2,999	1,206	125	57	595	30	108	1,389	142	403	4
Betul ...	1,093	540	14	34	176	24	16	350	118	131	2
Narsinghpur ...	2,171	540	71	59	239	8	75	540	93	491	1
Chhindwara ...	1,748	460	38	22	179	26	18	358	71	176	4
Nimar ...	3,557	1,003	115	29	1,007	23	102	283	99	158	9
Raipur ...	1,253	930	41	8	670	48	30	851	346	173	1
Sambalpur ...	614	181	16	..	160	106	7	316	105	149	...
Bilaspur ..	455	537	8	7	238	99	22	760	207	176	8
Commr. Nagpur Division ..	...	...	...	..	...	...	...	...	4	...	...
Total ... 1878 ...	36,721	12,684	1,308	651	8,660	847	770	10,188	2,347	3,670	57
Total ... 1877 ...	40,725	16,147	1,356	822	10,599	1,120	747	9,914	2,470	3,689	77

Exhibition of above Grand

Not exceeding Rs. 5 ...	1,565	3,610	93	123	3,643	202	231	1,448	329	375	...
Ditto „ 20 ...	12,916	5,515	337	223	3,532	307	304	3,780	793	821	8
Ditto „ 50 ...	12,992	2,148	332	154	996	139	135	2,592	570	791	3
Ditto „ 100 ...	5,332	752	214	69	294	79	44	1,195	325	587	4
Ditto „ 300 ...	3,041	471	203	58	152	89	31	886	209	618	28
Ditto „ 500 ...	451	93	54	9	27	17	19	146	54	179	8
Ditto „ 1,000 ...	275	63	49	8	13	7	6	89	41	168	4
Ditto „ 5,000 ...	134	31	23	7	3	7	...	49	23	109	2
Ditto „ 10,000 ...	7	1	3	...	...	...	...	3	3	15	...
Ditto „ 1,00,000 ...	8	...	...	...	...	...	...	...	...	7	...
Exceeding „ 1,00,000 ...	...	...	...	...	...	...	...	...	...	...	...
Total ... 1878 ...	36,721	12,684	1,308	651	8,660	847	770	10,188	2,347	3,670	57
Total ... 1877 ...	40,725	16,147	1,356	822	10,599	1,120	747	9,914	2,470	3,689	77

I.

disposed of in the Central Provinces during the year 1878.

To declare and establish rights only. Connected with immoveable property including pre emption, foreclosure, &c	To declare and establish rights only. Personal unconnected with immoveable property.	For an account.	Relating to religious endowments.	To set aside judgments; contracts or obligations on the ground of fraud.	For dissolution of marriage.	For enforcement of matrimonial rights.	For partition.	Relating to shipping.	Relating to religion and caste.	Total	Remarks.
13	14	15	16	17	18	19	20	21	22	23	
30	18	10	...	1	2	36	...	...	..	20,588	
1	3	...	...	6	1	14	1	...	...	2,736	
2	5	1	...	...	...	24	2	...	...	3,013	
10	2	3	...	2	2	16	...	...	...	4,469	
3	...	...	...	...	...	16	...	...	..	2,275	
45	4	3	...	7	...	14	...	...	...	5,349	
19	8	4	...	7	...	2	...	...	..	4,194	
3	2	...	...	...	...	...	...	...	...	1,505	
...	...	1	...	...	...	9	...	.	...	1,720	
5	...	...	...	3	...	5	..	...	...	551	
10	4	10	...	11	...	13	1	...	..	7,107	
1	1	...	...	2	...	2	1	...	...	2,505	
1	4	...	...	2	...	7	2	...	..	4,304	
...	1	...	...	7	...	11	...	...	...	3,119	
15	1	1	...	18	...	22	1	...	..	6,443	
113	1	3	...	15	...	8	1	...	...	4,492	
7	...	...	..	12	...	3	2	...	...	1,678	
4	8	2	...	1	...	6	...	..	...	2,538	
...	...	...	...	...	...	1	...	...	...	5	
269	62	38	...	94	5	209	11	..	...	78,591	
230	111	36	1	100	10	276	10	..	...	88,640	

Total in detail of values.

											Number of suits disposed of in different Courts.						Total value of suits (as computed under the Court Fees Act.)
											Small Cause Courts.	Naib Tahsildars' Courts.	Courts of the Tahsildar.	Courts of the Assistant Commissioner.	Courts of the Deputy Commissioner.	Courts of the Commissioner.	
											24	25	26	27	28	29	30
8	1	...	...	2	...	...	..	..	..	11,630	3,046	5,317	2,622	644	1	...	38,175
123	1	...	...	6	...	...	...	.	.	28,666	5,774	13,021	7,846	2,020	4	1	3,46,384
9	4	...	...	4	...	1	1	...	..	20,871	3,713	6,496	8,193	2,467	2	...	6,81,059
9	1	1	...	10	1	203	2	...	...	9,122	1,363	...	5,359	2,390	10	...	6,28,490
88	45	24	...	60	4	4	1	...	..	6,012	836	...	2,122	3,042	12	...	10,07,209
8	3	7	...	2	...	...	3	...	...	1,080	162	...	...	913	4	1	4,14,468
11	1	5	...	5	...	...	1	...	...	746	73	...	...	663	10	...	5,18,780
11	4	1	...	4	...	1	2	...	...	411	...	..	...	333	75	3	8,10,651
...	2	...	...	1	...	...	...	...	...	35	...	...	...	4	31	...	2,57,697
2	...	...	...	...	...	...	...	...	..	17	...	...	...	2	15	...	3,52,728
...	...	...	...	...	...	...	1	...	.	1	...	...	...	...	1	...	13,10,238
269	62	38	...	94	5	209	11	...	.	78,591	14,967	24,834	26,142	12,478	165	5	63,65,879
230	111	36	1	100	10	276	10	...	.	88,640	13,632	28,727	31,234	14,602	443	2	55,47,207

No.

STATEMENT showing the result of the trial of Original Suits

Districts.	For disposal.					Dis	
	Remaining at close of previous year.	Re-instituted during the year (Sections 99, 105, 562, 623, Act X of 1877.)	Received by transfer from other Provinces during year.	Instituted during the year (Section 58, Act X of 1877.	Total.	Transferred to other Provinces.	Pla nt rejected or returned after institution.
1	2	3	4	5	6	7	8
Nagpur ...	699	467	.	20,432	21,598	...	94
Chanda ...	63	81	...	2,723	2,817	...	18
Bhandara ...	129	79	...	2,995	3,203	..	15
Wardha ...	172	124	...	4,425	4,721	...	29
Balaghat ...	51	36	...	2,264	2,351	...	6
Jubbulpore ...	232	113	...	5,276	5,621	...	55
Saugor ...	222	101	...	4,006	4,329	..	25
Damoh ..	71	34	...	1,466	1,571	...	3
Seoni ...	29	31	...	1,784	1,844	...	10
Mandla ...	21	15	...	542	578	...	14
Hoshangabad ...	214	211	...	6,964	7,389	...	40
Betul ...	91	39	...	2,477	2,607	...	20
Narsinghpur ...	116	95	...	4,256	4,467	...	28
Chhindwara ...	73	21	..	3,179	3,273	...	20
Nimar ...	177	148	...	6,345	6,670	...	27
Raipur ...	139	90	...	4,700	4,929	...	28
Sambalpur ...	129	64	...	1,674	1,867	..	3
Bilaspur ...	152	44	...	2,532	2,72[illegible]	..	18
Commissioner, Nagpur Division ...	1	...	...	4	5	...	...
Total ... 1878 ...	2,781	1,743	...	78,044	82,568	...	453
Total ... 1877 ...	2,931	2,096	7	86,390	91,424	...	722

in the Districts of the Central Provinces during the year 1878.

posed of—

Dismissed for default, (Section 58, Act X. of 1877.)		Withdrawn with leave (Section 373, Act X. of 1877.	Compromised.		Decreed on confession (in full of claim.)		Decreed *ex parte*.				
								Dismissed *ex parte*		Total.	
Number.	Percentage.		Number.	Percentage.	Number.	Percentage.	Decreed.	Number.	Percentage of total *ex parte*.	Number.	Percentage of total disposed of.
9	10	11	12	13	14	15	16	17	18	19	20
3,255	15·8	322	2,764	13·4	6,102	29·7	2,862	120	4·0	2,982	14·5
387	14·1	37	403	14·7	866	31·7	330	16	4·6	346	12·7
634	21·1	31	321	10·7	824	27·3	380	27	6·6	407	13·5
954	21·3	98	518	11·6	942	21·1	645	38	5·5	683	15·3
368	16·2	49	221	9·7	613	26·9	290	25	7·9	315	13·9
1,126	21·1	43	545	10·2	1,015	19·0	656	20	2·9	676	12·6
687	16·4	15	835	19·9	1,103	26·3	433	10	2·3	443	10·6
411	27·3	1	264	17·6	297	19·7	116	14	10·8	130	8·6
309	18·0	14	235	13·7	468	27·2	170	4	2·3	174	10·1
123	22·3	7	82	14·9	103	18·7	62	4	6·1	66	12·0
1,633	23·0	61	875	12·3	1,534	21·6	1,008	53	5·0	1,061	15·0
644	25·7	10	311	12·4	522	20·9	291	7	2·3	298	11·9
676	15·7	17	389	9·0	985	22·9	469	41	8·0	510	11·9
544	17·4	26	442	14·2	894	28·7	438	18	3·9	456	14·6
1,285	20·0	72	576	8·9	2,097	32·5	726	52	6·7	778	12·1
1,086	24·2	39	611	13·6	829	18·4	488	27	5·2	515	11·5
436	26·0	28	87	5·2	470	28·0	156	22	12·4	178	10·6
663	26·1	15	338	13·3	297	11·7	137	52	27·5	189	7·5
1	20·0	...	...	...	...	...	...	...	...	...	...
15,222	19·4	891	9,817	12·5	19,961	25·4	9,657	550	5·4	10,207	13·0
17,172	19·4	897	11,590	13·1	22,059	24·9	9,962	522	4·9	10,484	11·8

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Districts.	Disposed of—*Contd.*								
	(Contested and disposed of by)						Total.		
	Judgment for plaintiff.				Judgment for defendant.				
	In whole (of claim)		In part (of claim)						
	Number.	Percentage on total contested.	Number.	Percentage on total contested.	Number.	Percentage on total contested.	Number.	Percentage on total disposed of.	Total
	21	22	23	24	25	26	27	28	29
Nagpur ...	2,597	51·2	1,325	26·2	1,147	22·6	5,069	24·6	20,588
Chanda ...	319	47·0	227	33·4	133	19·6	679	24·8	2,736
Bhandara ..	325	41·6	270	34·6	186	23·8	781	25·9	3,013
Wardha ...	516	41·4	398	32·0	331	26·6	1,245	27·9	4,469
Balaghat ...	307	43·7	201	28·6	195	27·7	703	30·9	2,275
Jubbulpore ...	726	38·4	536	28·4	627	33·2	1,889	35·3	5,349
Saugor ...	558	51·4	305	28·1	223	20·5	1,086	25·9	4,194
Damoh ...	135	33·8	153	38·4	111	27·8	399	26·5	1,505
Seoni ...	198	38·8	163	32·0	149	29·2	510	29·6	1,720
Mandla ...	58	37·2	42	26·9	56	35·9	156	28·3	551
Hoshangabad ...	921	48·4	450	23·7	532	27·9	1,903	26·7	7,107
Betul ..	302	43·5	176	25·4	216	31·1	694	27·7	2,505
Narsinghpur ..	693	40·8	415	24·4	591	34·8	1,699	39·5	4,304
Chhindwara ...	306	41·5	185	25·1	246	33·4	737	23·6	3,119
Nimar ...	665	41·4	528	32·8	415	25·8	1,608	25·0	6,443
Raipur ...	406	29·3	602	43·5	376	27·2	1,384	30·8	4,492
Sambalpur ...	192	40·3	143	30·1	141	29·6	476	28·4	1,678
Bilaspur ...	263	25·8	370	36·4	385	37·8	1,018	40·1	2,538
Commissioner, Nagpur Division..	3	75 0	1	25·0	...	...	4	80·0	5
Total ... 1878 ...	9,490	43·1	6,490	29·4	6,060	27·5	22,040	28·0	78,591
Total ... 1877 ...	10,447	40·6	7,921	30·8	7,348	28·6	25,716	29·0	88,640

No. II.—*Contd.*

Pending.			Average			Number of suits disposed of—								
			Duration of suits (in days and tenths.)											
Total.	Over two and not over four months.	Over four months.	Contested.	Uncontested.	Number of hearings in suits disposed of.	Instituted in *formâ pauperis* (S. 410, Act X of 1877.)	In which commission issued for local investigation (S. 392, Act X of 1877.)	In which commission issued to investigate or adjust accounts (S. 394, Act X of 1877.)	In which commission issued to make a partition (S. 396, Act X of 1877.)	In which reference was made to arbitrators.	In which any matter was decided on oath of party or witness.	In which any of those costs of a successful plaintiff, which are not more than proportionate to the relief decreed are decreed against such plaintiff.	In which payment by instalments was decreed (S. 210, X Act of 1877.)	Remarks.
30	31	32	33	34	35	36	37	38	39	40	41	42	43	44
1,010	15	6	30·4	18·2	1·7	4	83	73	...	122	151	900	1,078	
81	1	...	33·4	21·7	2·4	2	13	10	...	8	13	54	294	
190	4	...	30·5	19·7	2·1	...	24	24	...	1	26	25	113	
252	16	...	29·5	23·4	2·6	...	43	62	...	9	32	133	281	
76	1	...	28·8	21·1	2·1	...	31	24	2	3	48	12	163	
272	1	...	30·0	22·4	1·8	1	35	44	1	54	23	113	295	
135	2	2	31·6	21·2	2·1	6	25	36	...	55	48	419	432	
66	1	1	24·7	18·7	2·2	1	15	4	...	9	5	128	144	
124	1	...	22·8	16·5	2·0	1	6	1	...	20	33	89	217	
27	2	...	23·6	17·2	2·1	...	8	3	...	...	3	19	22	
282	5	...	36·2	23·9	2·1	...	38	66	...	33	26	246	345	
102	...	...	27·4	18·2	2·1	...	26	3	...	2	18	89	134	
163	4	...	29·2	18·7	1·9	1	58	12	...	13	62	321	240	
154	2	...	25·9	16·5	1·9	...	45	9	...	9	26	38	208	
227	4	...	35·1	21·2	2·0	6	24	52	...	24	128	181	1,244	
437	2	...	29·7	21·5	2·5	3	54	10	...	41	26	51	214	
189	34	...	49·5	23·6	2·7	...	6	2	...	9	3	103	46	
190	6	1	34·3	25·4	2·6	4	31	7	...	12		211	114	
...	...	...	60·5	16·5	2·5	...	...	...	...	...	...	3	...	
3,977	101	10	31·8	21·0	2·1	29	565	442	3	424	700	3,135	5,584	
2,783	79	23	28·3	19·1	2·1	49	659	367	...	401	872	3,677	5,795	

No.

Statement showing the Execution of Decrees in the Districts

Districts.	Applications to execute decrees.					Struck off, execution for the time being ended and no coercive processes remaining in force.				
	Pending from last year.	Filed.		Received by transfer (i. e., first applications on certificates from other Courts.)	Total.	Decrees completely executed.	Decrees partially executed.	Without execution.	Total.	Decrees executed by possession being given of specific property decreed.
		Verbally (Section 256, Act X. of 1877.)	In writing.							
1	2	3	4	5	6	7	8	9	10	11
Nagpur	914	19	13,268	402	14,603	3,546	3,015	6,929	13,490	229
Chanda	116	14	1,251	26	1,407	481	311	450	1,242	9
Bhandara	186	2	1,487	12	1,687	605	347	498	1,450	22
Wardha	301	16	2,286	90	2,693	780	376	1,302	2,458	47
Balaghat	135	...	1,188	4	1,327	375	284	537	1,196	17
Jubbulpore	155	48	2,267	61	2,531	875	574	829	2,278	71
Saugor	218	9	2,075	8	2,310	842	553	700	2,095	46
Damoh	53	1	576	6	636	210	155	206	571	34
Seoni	28	1	667	19	715	219	148	241	608	3
Mandla	11	...	127	1	139	55	40	34	129	8
Hoshangabad	353	10	4,196	3	4,562	1,114	1,269	1,646	4,029	123
Betul	229	1	1,337	15	1,582	461	393	506	1,360	25
Narsinghpur	397	23	2,803	37	3,260	1,205	937	833	2,975	68
Chhindwara	160	10	1,622	5	1,797	637	560	278	1,475	53
Nimar	265	...	2.947	34	3,246	1,089	486	1,315	2,890	12
Raipur	94	1	1,937	14	2,046	627	355	781	1,763	31
Sambalpur	86	...	771	...	857	262	163	329	754	7
Bilaspur	89	1	764	15	869	318	160	285	763	26
Grand Total ... 1878...	3,790	156	41,569	752	46,267	13,701	10,126	17,699	41,526	831
Grand Total ... 1877...	4,985	232	50,127	859	56,203	14,332	13,604	24,471	52,407	809

III.

of the Central Provinces during the year 1878.

Pending.			Claims to attached property decided.		Nature and number of coercive processes issued.							
							Moveable property.		Immoveable property.			
Total.	Over two and not over four months.	Over four months.	For claimant in whole or part.	Against claimant.	Persons actually committed to prison.	Number of persons declared insolvent.	Number of warrants in execution of which attachment was effected.	Number of orders for sale executed.	Number of warrants in execution of which attachment was effected.	Number of orders for sale executed and confirmed by Court and Collector.	Number of cases in which the property was disposed of by the Collector, by lease, mortgage, farm or management.	Temporary alienation authorized under Section 326, Act X. of 1877.
12	13	14	15	16	17	18	19	20	21	22	23	24
1,113	57	36	401	323	113	52	3,047	927	1,371	705	...	...
165	9	12	41	23	9	...	412	161	144	62	...	...
237	25	11	83	46	2	2	767	276	208	88	...	...
235	25	27	79	67	45	2	586	234	328	161	...	...
131	...	6	68	26	6	...	518	127	83	26	1	...
253	3	26	33	62	62	1	367	171	199	96	...	...
215	28	13	86	127	33	...	515	177	564	194	...	2
65	14	4	9	18	2	...	82	34	88	59	...	...
107	12	5	8	8	7	1	127	61	88	48	...	...
10	3	...	5	2	3	...	50	12	11	3	...	...
533	1	75	158	222	48	...	1,239	486	696	255	14	...
222	22	10	77	50	17	5	415	170	319	84	1	...
285	19	14	75	132	30	2	1,041	312	712	300	...	2
322	11	13	43	67	31	...	754	369	299	143	1	...
356	29	6	173	109	23	2	422	184	309	109	...	1
283	...	4	22	25	9	1	425	187	119	60	...	...
103	4	...	11	5	6	...	393	141	113	45	...	...
106	4	1	13	12	13	...	222	113	47	23	1	...
4,741	266	263	1,385	1,324	459	68	11,384	4,142	5,698	2,461	18	5
3,796	251	212	1,979	2,049	528	...	13,890	5,540	9,111	4,021	...	33

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No. IV.

Statement showing the Appellate Business of the Courts of the Central Provinces, for the year 1878.

COURTS.		For disposal.				Disposed of														Pending.		Number of cases in which objections under Section 161, Act X. of 1877 were		Average duration of each appeal tried.
									Heard *ex-parte*.					Contested.										
									Confirmed.			Reversed.				Reversed.								
		Remaining at close of previous year.	Received by transfer from other Provinces.	Instituted or re-admitted.	Total.	Applications rejected.	Transferred to other Provinces.	Dismissed for default, or under Sections 556, 557, Act X of 1877.	Without notice to Respondent.	After notice to Respondent.	Modified.	Without remand under Section 562, Act X. of 1877.	And remanded under Section 562, Act X. of 1877.	Confirmed.	Modified.	Without remand under Section 562, Act X of 1877.	And remanded under Section 562, Act X of 1877.	Total.	Total.	Over four months.	Preferred.	Allowed (because successfully) maintained.	
		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
Judicial Commissioner. Special appeals.	From Decrees ordinary.	26	...	444	470	233	...	5	...	3	1	3	6	48	10	35	57	401	69	8	...	...	43·3
	„ Rent Law ...	3	...	63	66	30	...	...	...	...	...	3	...	3	...	8	10	54	12	...	...	...	43·3
	„ Orders ...	1	...	52	53	19	...	...	...	4	...	8	...	5	...	14	2	52	1	...	...	...	44·1
Commissioner. Nagpur ...	From Decrees ordinary.	37	...	117	154	...	1	9	9	11	3	3	...	60	16	24	8	144	10	2	...	...	63·1
	„ Rent Law ...	26	...	79	105	...	...	3	7	13	...	4	4	42	6	9	5	93	12	...	...	...	66·8
	„ Orders ...	...	...	13	13	...	...	...	...	..	...	8	...	2	...	...	2	12	1	...	...	...	41·7
Jubbulpore ...	From Decrees ordinary.	32	...	52	84	...	..	2	...	...	...	...	...	49	8	10	15	84	...	...	1	1	82·7
	„ Rent Law ...	...	...	70	70	...	...	1	...	5	1	...	...	45	7	10	1	70	...	...	...	...	115·9
	„ Orders ...	7	...	11	18	...	...	3	8	...	...	1	1	1	...	3	1	18	...	...	...	...	82·5
Nerbudda ...	From Decrees ordinary.	35	...	46	81	...	...	8	...	3	1	1	...	34	7	14	13	81	...	...	...	...	58·3
	„ Rent Law ...	13	...	108	121	...	...	18	...	8	...	3	...	47	9	18	14	117	4	2	...	...	37·7
	„ Orders ...	3	...	16	19	...	...	1	...	...	...	1	...	4	1	10	2	19	...	...	...	...	56·0
Addl. Commr. Ner. & Jub. Dns.	From Decrees ordinary.	...	...	287	287	...	...	7	5	3	...	...	...	117	26	39	47	244	43	1	...	...	29·2
	„ Rent Law ...	...	...	90	90	...	4	2	...	2	...	...	...	48	9	18	5	88	2	...	...	...	54·6
	„ Orders ...	...	...	42	42	...	...	3	14	4	...	4	...	7	1	4	3	40	2	...	...	...	33·1
Chhattisgarh ...	From Decrees ordinary.	49	...	56	105	...	...	16	...	2	1	...	3	29	11	30	6	98	7	...	1	...	108·6
	„ Rent Law ...	18	...	74	92	...	...	11	1	...	...	...	...	27	1	20	15	75	17	...	...	...	75·6
	„ Orders ...	...	...	9	9	...	...	...	3	4	...	1	...	...	...	...	1	9	...	..	...	...	41·6
Total in Courts of Commissioners.	From Decrees ordinary.	153	...	558	711	...	1	42	14	19	5	4	3	289	68	117	89	651	60	3	2	1	59·0
	„ Rent Law ...	57	...	421	478	...	4	35	8	28	1	7	4	209	32	75	40	443	35	2	...	...	61·1
	„ Orders ...	10	...	90	101	...	...	7	25	8	...	15	1	14	2	17	9	98	3	...	...	...	48·5

Deputy Commissioners.	Nagpur ...	From Decrees ...	40	...	318	358	...	...	14	68	2	3	9	2	119	15	44	33	309	49	...	...	...	43·1
		„ Orders ...	1	...	19	20	...	...	1	3	1	...	1	1	5	...	1	1	14	6	1	...	...	23·3
	Chanda ...	From Decrees ..	7	...	68	75	...	...	4	19	3	2	...	3	16	4	10	2	63	12	..	...	...	27·6
		„ Orders ..	1	...	2	3	...	...	...	1	...	...	...	..	1	...	1	...	3	...	...	...	...	31·3
	Bhandara ...	From Decrees ...	2	...	107	109	...	...	14	16	4	...	..	...	19	14	19	10	96	13	...	...	...	28·9
		„ Orders ...	...	...	4	4	...	...	...	1	...	...	3	...	...	...	...	...	4	...	...	...	...	15·0
	Wardha ...	From Decrees ...	10	...	225	235	...	...	18	...	12	1	2	...	117	14	46	16	226	9	...	...	...	30·8
		„ Orders ...	1	...	14	15	..	...	...	...	5	...	...	...	4	...	...	6	15	...	...	...	...	30·9
	Balaghat ...	From Decrees ...	...	...	54	54	...	...	9	...	3	...	1	1	26	3	6	5	54	...	...	...	...	39·0
		„ Orders ...	..	...	2	2	...	...	...	1	...	...	...	...	1	...	...	...	2	...	...	...	...	8·0
	Jubbulpore ...	From Decrees ...	9	...	134	143	...	...	8	1	13	...	...	1	74	8	22	12	139	4	...	...	...	27·2
		„ Orders ...	1	...	5	6	...	...	1	...	..	...	..	...	2	...	2	1	6	...	...	...	...	27·3
	Saugor ...	From Decrees ...	10	...	201	211	...	...	25	2	17	4	11	3	74	15	28	17	196	15	...	1	1	26·4
		„ Orders ...	...	...	35	35	...	...	8	3	6	1	...	4	10	...	1	2	35	...	...	...	...	31·6
	Damoh ...	From Decrees ...	3	...	62	65	...	...	4	...	10	...	1	1	40	1	2	5	64	1	...	...	...	19·8
		„ Orders ...	..	...	6	6	...	..	...	3	1	...	1	...	...	...	...	1	6	...	...	...	...	16·5
	Seoni ...	From Decrees ...	6	...	82	88	...	...	2	10	12	...	...	...	40	10	9	1	84	4	...	...	...	16·7
		„ Orders ...	.	...	1	1	...	...	...	1	..	..	...	...	...	...	...	...	1	...	...	...	...	4 0
	Mandla ...	From Decrees ...	...	...	25	25	...	...	2	13	...	...	...	1		2	6	1	25	...	...	...	...	6·6
		„ Orders ..	...	...	...	...	...	...	...	...	...	...	...	...	..	...	...	..	...	...	...	...	...	...
	Hoshangabad ...	From Decrees ...	40	...	358	398	...	...	33	...	29	5	16	7	147	29	53	58	377	21	...	...	...	29·1
		„ Orders ...	8	...	42	50	...	...	3	...	7	...	...	5	22	...	4	7	48	2	...	...	...	32·8
	Betul ...	From Decrees ...	14	...	81	95	...	...	14	39	4	1	...	1	17	1	11	5	93	2	...	...	...	22·1
		„ Orders ...	..	..	4	4	...	...	...	3	...	...	...	...	...	...	1	...	4	...	...	...	...	9·7
	Narsinghpur ...	From Decrees ...	19	...	330	349	...	...	37	...	13	1	1	...	180	23	60	14	329	20	2	...	...	35·4
		„ Orders ...	...	...	20	20	...	...	2	...	...	1	...	...	6	...	4	7	20	...	...	...	...	26·9
	Chhindwara ...	From Decrees ...	6	...	145	151	...	...	12	34	1	...	...	1	42	9	24	4	127	24	...	...	...	31·9
		„ Orders ...	..	...	16	16	...	...	1	3	...	..	...	1	3	...	5	3	16	...	...	...	...	18·5
	Nimar ...	From Decrees ...	9	...	177	186	...	...	9	50	5	1	3	1	61	18	20	13	181	5	...	...	...	23·7
		„ Orders ...	..	...	8	8	...	...	...	4	...	...	1	...	1	...	1	1	8	...	...	...	...	16·6
	Raipur ...	From Decrees ...	14	...	216	230	...	...	40	...	...	..	1	..	89	24	37	29	220	10	...	...	...	23·6
		„ Orders ...	...	...	9	9	...	...	...	...	...	..	...	...	4	...	3	2	9	..	...	...	...	20·2
	Sambalpur ...	From Decrees ..	20	...	72	92	...	...	22	...	...	2	...	..	36	2	18	6	86	6	...	...	...	59·2
		„ Orders ...	3	...	1	4	...	...	1	...	...	...	...	...	1	...	...	2	4	...	...	...	...	7·2
	Bilaspur ...	From Decrees ...	11	..	176	187	...	..	29	...	12	1	1	3	84	9	21	17	177	10	...	...	...	27·3
		„ Orders ...	...	...	...	...	...	...	...	...	..	...	...	...	...	...	...	...	...	...	...	...	...	...
Total in Courts of Deputy Commissioners		From Decrees ...	220	...	2,831	3,051	...	...	296	252	140	21	46	25	1,181	201	436	248	2,846	205	2	1	1	30·5
		„ Orders ...	15	...	188	203	...	...	17	23	20	2	6	11	60	...	23	33	195	8	1	...	...	26·2
Total in all Courts ...		From Decrees ordinary.	399	...	3,833	4,232	233	1	343	266	162	27	53	34	1,518	279	588	394	3,898	334	13	3	2	36·6
		„ Rent Law ..	60	...	484	544	30	4	35	8	28	1	10	4	212	32	83	50	497	47	2	...	...	59·1
		„ Orders ...	26	...	331	357	19	...	24	48	32	2	29	12	79	2	54	44	345	12	1	...	...	35·2
		Grand Total ...	485	...	4,648	5,133	282	5	402	322	222	30	92	50	1,809	313	725	488	4,740	393	16	3	2	38·8

No.

Statement of Process Fees

COURTS.		(1) Fees levied. In separate detail for each Court. On processes directed to be served by European bailiff (Special Rule I.) At Rs. 2 rate.		On other processes issued. At Rs. 1 rate.		At As. 8 rate.		At As. 4 rate.		For assisting in distraint (Special Rule III.)		Additional Fees. Under Special Rule IV.		Under Special Rule V.		Grand total of fees levied (Columns 2 to 9.)	
1		2	3	4	5		6		7		8		9		10		
		Rs.	Rs.	Rs.	Rs.	a.	Rs.	a.	Rs.	a.	Rs.	a.	Rs.	a.	Rs.	a.	
Nagpur	Civil	160	275	7,423	3,850	8	16,418	12	...	...	35	4	10	8	28,173	0
	Revenue	...	...	79	67	8	883	12	0	12	...	...	...	..	1,031	0
Chanda	Civil	...	...	1,060	552	0	2,294	8	...	...	3	8	8	0	3,918	0
	Revenue	...	...	42	21	0	190	8	...	...	...	...	...	..	253	8
Bhandara	Civil	...	...	855	1,059	8	2,322	12	...	..	1	8	...	...	3,738	12
	Revenue	...	...	58	65	0	391	0	...	...	...	...	...	...	514	0
Wardha	Civil	...	...	1,945	1,048	8	5,027	4	...	...	151	12	...	...	8,172	8
	Revenue	...	...	91	58	0	1,197	8	...	...	5	8	...	..	1,352	0
Balaghat	Civil	...	...	120	764	0	1,631	4	...	...	...	...	...	.	2,515	4
	Revenue	...	...	5	25	8	89	12	...	..	...	...	...	..	120	4
Jubbulpore	Civil	40	101	1,279	892	0	4,860	12	...	.	76	0	...	...	7,248	12
	Revenue	...	...	207	95	0	597	8	...	...	14	4	...	...	913	12
Saugor	Civil	...	...	1,169	1,508	8	3,903	12	...	...	176	8	20	12	6,778	8
	Revenue	...	...	102	145	8	531	4	...	...	0	8	...	...	779	4
Damoh	Civil	...	...	282	341	8	1,363	12	...	..	96	0	2	0	2,085	4
	Revenue	...	...	40	29	8	188	0	1	8	16	12	1	12	277	5
Seoni	Civil	...	...	309	368	0	1,190	12	...	...	...	...	...	...	1,867	12
	Revenue	...	.	31	28	0	157	8	...	...	...	...	...	..	216	8
Mandla	Civil	...	...	52	67	8	388	8	1	8	...	...	...	...	509	8
	Revenue	...	...	10	5	0	31	4	...	...	...	...	...	...	46	4
Hoshangabad	Civil	...	...	3,088	2,378	8	6,174	0	...	...	262	8	...	...	11,903	0
	Revenue	...	...	130	49	8	419	0	...	..	2	0	...	...	600	8
Betul	Civil	...	...	801	1,033	0	1,780	8	...	...	51	4	...	...	3,665	12
	Revenue	...	...	27	52	0	159	4	...	...	...	...	...	...	238	4
Narsinghpur	Civil	...	...	1,633	2,394	8	3,855	8	...	...	60	0	11	0	7,954	0
	Revenue	...	...	215	130	0	636	8	...	...	1	4	...	...	982	12
Chhindwara	Civil	...	...	871	1,151	0	3,019	4	...	..	...	...	...	...	5,041	4
	Revenue	...	...	44	20	8	171	4	...	...	...	.	...	...	235	12
Nimar	Civil	...	...	1,806	1,297	0	4,209	12	...	..	21	8	3	8	6,837	12
	Revenue	...	...	27	28	0	159	4	...	..	...	...	...	..	214	4
Raipur	Civil	...	...	584	960	8	2,909	4	...	...	...	...	...	..	4,453	12
	Revenue	...	...	52	120	0	22[illegible]	12	...	...	...	...	...	..	398	12
Sambalpur	Civil	...	...	365	483	8	1,337	12	..	...	...	...	7	4	2,193	8
	Revenue	...	...	89	59	0	33[illegible]	4	..	...	...	...	...		485	4
Bilaspur	Civil	...	...	294	441	8	2,1[illegible]	[illegible]	...	...	...	..	...		2,843	4
	Revenue	...	...	127	66	0	31	4	...	...	..	...	...	.	505	12
Total	Civil	200	376	22,936	20,591	8	64,79[illegible]	[illegible]	1	8	935	12	63	0	1,09,899	8
	Revenue	...	...	1,376	1,065	8	6,679	8	2	4	40	4	1	12	[illegible],165	4
Grand Total		200	376	24,312	21,657	0	71,475	4	3	12	976	0	64	12	1,19,064	12

V.

for the year 1878.

(2). Charges.												
In separate detail for each Court or set of Courts having a join establishment.										Collectively for the Province.		
Naib-Naziras.		Peons.								Contingencies.		Remarks, as (1) Number of processes re-issued without charge (Special Rule VI.)
No.	Total salary.	Salary of European bailiff.	1st Class at Rs. 10. Number on last day.	1st Class at Rs. 10. Total salary.	2nd Class at Rs. 8. Number on last day.	2nd Class at Rs. 8. Total salary.	3rd Class a Rs. 6. Number on last day.	3rd Class a Rs. 6. Total salary.	Heads of charges, *e. g.*, process forms, registers, other stationery, official postage, servers', badges, furniture, &c.	Total charges.	Grand total of all Charges (Columns 12, 13, 15, 17, 19 and 21.)	
11	12	13	14	15	16	17	18	19	20	21	22	23
	Rs.	Rs.		Rs.		Rs.		Rs.		Rs.	Rs.	
9	1,879	720	15	1,728	12	821	111	7,194	Binding, printing, stationery charges, badges, and official postage.	526	12,868	163
2	356	...	1	120	3	281	25	1,408		10	2,170	39
2	360	...	1	119	2	170	26	1,420		18	2,037	3
4	688	...	3	298	4	347	36	2,063		83	3,479	121
1	180	...	1	120	1	92	14	787		1	1,180	...
2	408	720	6	715	4	346	35	2,444		137	4,770	...
3	658	...	3	346	3	287	45	3,009		151	4,451	47
2	400	...	3	347	1	94	12	1,025		13	1,879	18
1	190	...	1	244	1	94	9	1,093		...	1,621	...
...	...	..	1	87	...	...	8	504		8	599	...
4	768	...	8	1,033	2	179	46	3,504		...	5,484	...
2	415	...	3	388	2	168	20	1,561		144	2,676	3
3	599	...	3	473	6	547	35	2,781		55	4,455	8
2	420	...	4	414	2	182	26	1,547		7	2,570	67
2	417	...	6	752	1	103	29	2,172		131	3,575	...
1	240	...	2	239	1	96	34	2,224		9	2,808	...
...	...	...	1	120	1	96	13	799		1	1,016	444
2	343	...	2	212	2	166	22	1,438		...	2,159	...
42	8,331	1,440	64	7,755	48	4,069	546	36,968		1,294	59,847	3

No. $\frac{1144}{52}$

FROM

LINDSAY NEILL, ESQUIRE,

OFFG. SECRETARY TO THE CHIEF COMMISSIONER,

Central Provinces.

TO

THE REGISTRAR,

JUDICIAL COMMISSIONER'S COURT,

Central Provinces.

Dated Nagpur, the 24th March 1880.

SIR,

I am directed to acknowledge your report on the administration of Civil Justice during the year 1879, which reached the Chief Commissioner on the evening of the 13th instant. The subject has been treated under the usual headings; the litigation of the year presented few remarkable features beyond that the number of suits which had generally fallen off in 1878 again increased, and nearly attained to the figures of 1877; the increase is very generally attributed to the return of better times, consequent revival of trade, and to a diminished pressure on the people; and as the Judicial Commissioner has very fully analysed the figures and has drawn from them deductions and lessons for the consideration and guidance of the subordinate Courts, the remarks of the Chief Commissioner will not extend to any great length.

2. At the close of 1879 there were 147 Courts open against 146 at the close of 1878, the increase being in the Courts of Assistant Commissioners. The strength of the Courts has therefore virtually been the same in both years, and suffices to cope with the work which comes before them. In last year's review the measures taken for the relief of Commissioners, Deputy Commissioners and Tahsildars were noticed. The relief to the Commissioners of the Jubbulpore and Nerbudda Divisions by the appointment of an Additional Commissioner, who hears all civil appeals from the districts of the Jubbulpore Division and from the three important districts (Narsinghpur, Hoshangabad and Nimar) in the Nerbudda Division which have railway communication with Jubbulpore, seems adequate; and though the extent of the relief experienced by the two Commissioners is hardly discussed in any report, it must be considerable, while appellants to the Court of the Additional Commissioner have had the convenience of resort to a fixed stationary Court. This has doubtless stimulated the love of appeal. In respect to Deputy Commissioners, those who have been relieved have been the Deputy Commissioners of Nagpur and Hoshangabad. Last year the Chief Commissioner observed, "perhaps in Hoshangabad too many officers "exercise appellate powers, for in that district there are besides the Deputy "Commissioner, the Assistant Commissioners at Hoshangabad and Pachmarhi, "and the Extra-Assistant Commissioner at Harda, who hear appeals. In this "district while original suits have fallen off, appeals have increased, apparently "because of the increased facilities afforded for appealing. It was, however, never "intended to make appealing more easy, but only to relieve the Deputy Com-"missioner of the duty of hearing appeals, and it may perhaps be desirable to "retrace our steps, and only allow the Assistant Commissioner at Hoshangabad to "exercise appellate powers." The Government of India concurred in the opinion that in the Hoshangabad district the number of Appellate Courts had been needlessly multiplied, and the Chief Commissioner only abstained from ordering their reduction, because some further experience of their working seemed desirable. The experience gained seems to show conclusively that appeals have been unduly stimulated in Harda consequent on the investiture of the Extra-Assistant Commissioner with appellate powers. Harda is within easy access of Hoshangabad and the greater part of the journey is by rail. In 1877 the number of appeals from the Harda subordinate Courts was 69; in the past year it was 269. Only one pleader had his residence in Harda in 1878, now in this small town there are as many as 6. The time of the Extra-Assistant Commissioner must be very largely taken up

with hearing appeals in petty cases in which in former years the judgment of the original Court was acquiesced in. The Chief Commissioner therefore thinks that the time has come to adopt the suggestion made by him last year, which has now the support of the Judicial Commissioner, and deprive the Extra-Assistant Commissioner, Harda, and the Assistant Commissioner, Pachmarhi, of their appellate powers, and invest the Senior Assistant Commissioner at Hoshangabad with those powers which he would exercise concurrently with the Deputy Commissioner.

3. Tahsildars have now more leisure for revenue and executive work, and the plan of appointing Naib-Tahsildars to decide civil cases only has continued to work well. At Sauner, in the Diwani Tahsildar's Court, there were as many as 3,055 cases instituted, and he has consequently been swamped with work. It is now considered necessary to remedy this by a partial return to the former local limits. Thus the territorial jurisdiction of the Sauner tahsil was made to embrace certain parganas of the Nagpur, Ramtek and Katol tahsilis ; the jurisdiction will now be revised and restricted. The Chief Commissioner has some reason to believe that when he expressed his willingness to sanction civil Naib-Tahsildars for the sake of relieving Tahsildars, appointments of civil Naib-Tahsildars were made to places where they were not wanted ; thus he notices that at Sihora, in the Jubbulpore district, there are a Tahsildar, a Naib-Tahsildar and a civil Naib-Tahsildar, and that some 1,200 cases were disposed of by the Civil Naib. This number is small, and no need for a civil Naib seems to be established. Commissioners are requested to be so good as to report whether the civil Naib-Tahsildars sanctioned for their divisions are really required. Applications for additional assistance are often made, whereas the proper and complete utilization of existing establishments would probably meet all requirements.

4. The accommodation and fittings of the respective Courts are noticed at considerable length in the district and divisional reports. These are generally satisfactory, though both at Nagpur and Jubbulpore the Court-houses are crowded and somewhat inconveniently situated—especially at Jubbulpore, where they are in close proximity to the railway, and the noise from the workshops and sheds distracts Judges and suitors. The Law libraries attached to the Courts are, as a rule, well supplied ; but many officers complain of the delay in receiving translations of new Acts. The complaint is specifically made with regard to the Civil Procedure Amendment Act (XII. of 1879). On this you remark : " As the translations of Acts are supplied to each district direct by the " Chief Commissioner's office, the Judicial Commissioner is not in a position to " know why there should be any difficulty in obtaining translations of simple Acts, " so far as the translation is concerned, such as the Civil Procedure Amendment " Act of 1879. It is important that an Act which introduces changes in procedure should be placed in the hands of the Courts as soon as possible after it " has become law." On this the Chief Commissioner desires me to observe that he is fully alive to the necessity of instructing the subordinate Courts at the earliest moment regarding modification or change of procedure and alteration of any law. The Judicial Commissioner may remember that last year a competent Marathi translator was sanctioned for his Court so that the Judicial Commissioner's circulars and orders might properly be translated and promptly issued. But in respect to translations of Acts, whether in Urdu, Hindi, Marathi or Uriya, some difficulty is experienced. It is manifestly impossible on the score of expense that this Administration should entertain the services of competent translators in all these languages, and hence by the good offices of the Governments of Bombay, Bengal and the North-Western Provinces translations of Acts in the respective languages are got and then issued to subordinate Courts. There is, however, delay in getting such translations, and as a matter of fact, no Marathi translations of Act XII. of 1879 have yet been received. The difficulty does not even end with the receipt of the translations, for not unfrequently complaints are received that the translation is inaccurate and misleading. The Commissioner, Nagpur Division, enquires if it might not be possible for the Legislative Council of the Government of India to cause the translation into the principal vernacular languages of India of every Act and to publish the translation simultaneously with the Act. The Chief Commissioner will enquire whether a plan of this kind could be entertained.

5. It is observed with satisfaction that applications for forms in use in the Civil Courts are more systematically made, and that greater method is observed in storing them and more economy in using them. That such method and economy are, however, not universal is evidenced by the fact noted by you in paragraph 7.

6. The Local Bar, which last year consisted of 2 Barristers-at-law, 2 Attorneys-at-law, and 66 Pleaders, has been augmented by the addition of 2 Barristers-at-law and 3 Pleaders. There are now 11 districts in which members of the Bar practise. Many officers testify to the utility of these gentlemen, and to the growth among them of a higher standard of attainments. With general advance in civilization and the practical application of more complex laws it may be expected that the number of professional men will steadily increase.

7. Coming now to the extent and character of the litigation of 1879 it may be remarked that the total number of cases instituted and re-instituted was 87,862 against 79,783 in 1878. In the following districts the cases instituted and re-instituted rose considerably: Nagpur, Bhandara, Chanda, Wardha, Jubbulpore, Seoni, Mandla, Hoshangabad, Betul, Nimar, Raipur and Sambalpur; and in Damoh, Narsinghpur and Chhindwara the cases rose slightly; while on the other hand the suits instituted and re-instituted fell slightly in Bilaspur and considerably in Balaghat and Saugor. It is curious to note how very closely the figures of 1879 approach to those of 1877 in the districts of Nagpur,* Chanda, Bhandara, Jubbulpore,* Mandla, Hoshangabad, Betul and Nimar;* while in respect to the districts of Seoni and Sambalpur the figures of 1879 greatly exceed those of 1877. The falling off in 1878 was very general, particularly in suits for low values, and it seemed certain that litigation in that year had experienced a check because the people were in impoverished circumstances and because creditors did not care to obtain decrees at a time at which it would be difficult or impossible to realize them. Though the year 1879 was by no means a good one for the general public, it brought with it better harvests and brighter prospects than did its predecessor; and the Chief Commissioner accepts the general conclusion that this change goes far towards accounting for the almost universal increase in litigation.

* Omitting from consideration Courts of Small Causes &c.

Regarding the three districts (Balaghat, Bilaspur, and Saugor), where litigation decreased in 1879, certain specific causes are assigned. In Balaghat the decrease was one of a thousand suits, which is doubtless correctly ascribed to the expulsion of a number of professional mukhtiars from the local Courts. In Bilaspur cholera interfered with the business in the Courts at Seorinarain. In Saugor bad harvests are credited with the diminution of civil business. The bad out-turn of the cold weather crops made it impossible for agriculturists to meet their engagements; their inability to do so was notorious, and creditors therefore took renewed engagements from them instead of suing for decrees on the old ones.

8. Classified according to their value it is seen that of 87,677 suits disposed of, 14·7 per cent did not exceed Rs. 5 in value; 36·3 per cent were valued for sums between Rs. 5 and Rs. 20; 27 per cent were valued for sums between Rs. 20 and Rs. 50; 11·6 per cent were valued for sums between Rs. 50 and Rs. 100; 8·9 per cent for sums between Rs. 100 and Rs. 500; and only 1·5 per cent for sums in excess of Rs. 500. These results are nearly identical with those of 1878. They are only noticeable in that suits of the two lowest grades of value are not so numerous as they were in 1877. The figures for 1877 were 17·2 and 37·3 per cent respectively; those for 1879 are 14·7 and 36·3.

9. The bulk of the suits brought were for money due on bond or other contract, such suits forming 78 per cent of the whole. Suits for the recovery of moveable property or value thereof also rose both in their number and their precentage to total suits. Suits for damages slightly increased in number, but declined in their percentage to total suits; while suits for immoveable property decreased by 1. Of the suits for money, 45·1 per cent were on written obligation and 17 per cent on unwritten obligation. Thus there is a decrease in the proportion of suits on written obligation, and an increase in the proportion of suits on unwritten obligation. These results might have been anticipated.

10. In paragraph 16 of your report there are two matters for consideration. The first is in connection with grain transactions. These transactions form an important part of the litigation of the Province, and it seems as if plaintiffs suing on such bonds had hitherto enjoyed an unfair advantage over defendants. The Judicial Commissioner has now instructed the Courts that when a grain contract is not fulfilled, the suit should be one for breach of contract, and the decree should be for a specific sum of money. These instructions will, it is hoped, prevent inequitable and unjust decrees being passed in future.

Suits for immoveable property numbered 3,669 or 4·2 per cent on the total suits. In some districts such suits seem mainly connected with house property; in others, and especially in Sambalpur, they seem more purely connected with lands. The explanation is that the land revenue settlement of that district was made without a survey, and some carelessness seems to have occurred in specifying the limits of fields, &c. Consequently the formal declaration of rights in the soil have been followed by increased litigation, and cultivators sue each other for disputed fields or plots of land. The greater value which land has of late years attained is one reason why its possession is more prized and claims to it urged to the utmost, but experience has shown the Chief Commissioner that the people of Sambalpur are peculiarly tenacious in this respect, and that after carrying their pretensions through the Settlement Courts of all degrees they are quite ready to resuscitate their rejected claims in the ordinary Civil Courts.

11. The suits before the Courts were disposed of in the following proportions by the various classes of Judges :—

By Judges of Small Cause Courts	...	14,182 or 16·2	per cent.
„ Naib Tahsildars	...	32,416 „ 37·	„
„ Tahsildars	...	29,787 „ 34·	„
„ Assistant Commissioners	...	11,083 „ 12·6	„
„ Deputy Commissioners	...	209 „ 2·	„

Judges of Small Cause Courts disposed of nearly 800 cases fewer than in 1878 ; Assistant Commissioners of 1,400 less ; while Naib Tahsildars disposed of some 7,500, and Tahsildars of some 3,600 more. The bulk of the litigation is now done in the Courts of Naib Tahsildars, and the success of the measure of entrusting such work to them is again testified to in numerous reports. In several mention is made that the work of such Naib Tahsildars comes out well from the test of appeal. The principal reason of the increase in the work of Tahsildars is that the Court of the Diwani Tahsildar at Sauner has been open throughout the year. In 1878 it was open for only 6 months, when 1,225 cases were disposed of. In 1879 the number of cases disposed of was 2,975. The number of cases for disposal in the Courts of Small Causes at Nagpur, Kamptee and Saugor was smaller than in 1878, and this accounts for the smaller proportion of cases disposed of by Judges of Small Cause Courts.

12. The general results of trial were :—

In 510 suits or ·6 per cent the plaints were rejected or returned.
„ 17,502 „ 20· „ dismissal was ordered in default of appearance.
„ 1,726 „ 1·9 „ leave to withdraw was granted.
„ 9,813 „ 11·2 compromises were effected.
„ 21,469 „ 24·5 decrees passed on confession.
„ 12,438 „ 14·1 decrees passed *ex parte*.
„ 607 „ ·7 dismissal was ordered in default of appearance of plaintiff.

The proportion of uncontested cases was 72·4 ; and in contested cases the result was that judgment in 11·3 per cent was given for the plaintiff in whole, in 8·5 per cent for the plaintiff in part, and in 7·1 per cent for the defendant in whole.

Contrasted with the figures of last year uncontested cases have risen by one per cent ; and it is a curious feature in the litigation of the Province that uncontested cases should be so numerous, and that more than one-fifth of the whole cases of the year should be dismissed for default; but the experience gained in collecting the land revenue shows that many of the people are most apathetic in paying demands which they can and which they know they will be at once compelled to meet. The same apathy even in a greater degree is shown in payment of ordinary debts.

Contested suits are most numerous in Sambalpur; they are also numerous in the other two districts of the Chhattisgarh Division and in Narsinghpur. In paragraph 16 of your report it is explained that in all these districts suits for immoveable property, *i. e.* suits relating to land, were numerous, and these are the suits which would most likely be contested.

13. From cases which came to notice during the year it was found that dismissals for default were often improperly ordered, and in one flagrant case which came to notice the reduction of the Judge was ordered. The opportunity was taken to issue specific instructions enjoining a more proper and just procedure. The observations of the Judicial Commissioner regarding decrees on confession and suits decreed *ex parte* should also be carefully read by the Judges of the subordinate Courts and by supervising officers, with special attention to the remark that the percentage of applications for rehearing should be examined side by side with the disposals *ex parte*. I am, however, to enquire whether there is not some error in saying (paragraph 24) "19 per cent of the total disposals of the year "were *ex parte*, but in the Panjab only 9 per cent of the disposals, &c." The tabular statement at paragraph 20 shows a percentage of 14·1 decreed *ex parte* and ·7 dismissed *ex parte*, and the Chief Commissioner cannot quite follow how 19 per cent is arrived at.

14. It would appear that commissions for local investigation and to examine accounts are favoured by some Judges in a greater degree than by others. If the specific issues on which information is needed be given and suitable commissioners are appointed, the use of the provisions of the Code relating to commissions is quite suitable. There seems, however, some reason to apprehend that commissions are sometimes issued in order to save the Judge troublesome enquiries, and that owing to the vague wording of the commission and the selection of unsuitable persons, the issue of the commission too often leads to no practical purpose.

This point is well brought out in the Sambalpur district report, where the Deputy Commissioner by personal enquiry ascertained that the so-called local investigations had not been made locally, that is to say that in disputes relating to land the parties and witnesses were not taken to the particular field or plot of land which formed the subject of contention.

15. The number of cases referred to arbitration was 393 in 1879 against 424 in 1878. 76 cases were referred in Nagpur, 69 in Jubbulpore, and 56 in Saugor. The Jubbulpore and Saugor district reports do not mention the subject. In the Nagpur report all that is said is that references to arbitration had fallen from 122 in 1878 to 76 in 1879, and that as nearly all the references in 1878 had been made by the Court of Small Causes, Kamptee, the decrease must have been in references from that Court. As there has been a change in the Judge of the Kamptee Small Cause Court, it is probable that the officer who presided over it throughout 1878 had a partiality for arbitration. The Chief Commissioner agrees in the opinion expressed by several officers that parties to a suit prefer its decision by the Judge to any reference to arbitrators, and it seems to the Chief Commissioner that only in very special circumstances should any pressure be put on parties to cause them to refer the matters in dispute between them to arbitrators.

16. In 745 cases in 1879 against 700 in 1878 were matters decided on special oath taken by the parties. Such oaths were taken in 122 cases in Nagpur, in 105 cases in Nimar, in 75 cases in Narsinghpur, in 62 cases in Jubbulpore, in 57 cases in Wardha, and in 49 cases in Bhandara. The desire to take advantage of the provisions of the Oaths Act does not appear to be very great, and the Chief Commissioner believes that such special oaths are generally proposed when the plaintiff either has no evidence to adduce or loses his temper and agrees to forego his claim should his defendant make some special form of asseveration. The Chief Commissioner quite agrees that Native Judges are able to propose the oath with very much greater prospect of its being accepted than European Judges; but at the same time, looking to the numerous castes and religions in

India, it is difficult for even an experienced Native Judge to know what oaths different castes consider specially binding.

17. The power of decreeing payment by instalments is another subject which must be left mainly to the discretion of the Judge who tries the suit. It seems clear that such decrees should be the exception and not the rule, and that a *practice* of decreeing payment should not be allowed to grow up, because such a practice would work direct injury to the plaintiff, who is by the Court's decision found to be entitled to a fixed sum. In each case circumstances should exist which justify an instalment decree. The most valid circumstance would of course be that the plaintiff agreed to instalments: another justification would be some proof on the part of the defendant of present inability to pay in full, but ability to pay gradually. Here it would be to the real interest of the judgment-creditor that his debtor should have time allowed him. It is, however, pretty clear that the discretion of awarding payments by instalments has been abused, notably in Nimar, where such decrees are out of all proportion in excess of the returns of every other district, and where the Deputy Commissioner explains the large number of confessions by stating that defendants appeared and confessed to judgment in view of the prospect of obtaining a decree by instalments (paragraph 24). In this district it would appear indisputable that a *practice* of passing such decrees has become established.

18. In 1878 the average number of days required for the disposal of every contested suit was 31·8 days, and for every uncontested suit 21 days. The number of hearings was 2·1. In the year 1879 the average number of days for the disposal of every contested suit has been 34·3 days, and for every uncontested suit 23 days. The Provincial average has been raised by long durations in a few districts, some of which have been explained; and it is satisfactory to know that the average duration in the Courts of these Provinces is still very much less than in the North West Provinces and Oudh. As the Judicial Commissioner is aware, the Chief Commissioner is not disposed to lay too great stress on short durations, and he trusts to supervising officers to see that the preventible causes which underlie long durations are removed. From the district reports he is glad to see that this matter has received considerable attention, and nowhere more perhaps than in the Wardha district, which is commented on by the Judicial Commissioner for its long durations. The Deputy Commissioner of that district has subjected the statistics of his district to a very minute scrutiny, and the Chief Commissioner has full confidence that if the long durations occurred through preventible causes, such causes will now be removed.

The arrangements made in the Jubbulpore district, by which a Tahsildar arranges so as to be at his head-quarters for certain fixed days at a time, and then has ten or more days left for executive duties, may, if they be deemed suitable, be adopted elsewhere; but there are some practical difficulties in the way of making such arrangements which appear to have been overlooked. Thus the Tahsildar when not at head-quarters will be absent in the district, and who then is to accept the plaints presented, fix dates for their hearing, and issue the necessary summonses, &c.

19. Appeals to Deputy Commissioners from decrees were 3,080, and from orders 179. The former were more, and the latter slightly less than in 1878. The number of appeals has increased, but not in proportion to the original work. In most districts the fluctuations present nothing noticeable, the increases being only marked in the districts of Hoshangabad and Sambalpur. The increase in the former district was, as already explained, due to the multiplication of Appellate Courts, and in the latter district to the extension of land litigation, and to the circumstance that while in 1878 appeals from the decisions of the Assistant Commissioner lay to the Commissioner, they in 1879 lay to the Deputy Commissioner. In the Courts of Deputy Commissioners, in 57 per cent of the appeals the decree of the lower Court, was upheld; in 17 per cent the decree was reversed; and in 9 per cent it was modified: in 10 per cent the cases were remanded for retrial; and in 7 per cent the appeals were dismissed for default.

The districts which show high percentages of disposals in particular ways are the following: in Saugor, Damoh, Seoni and Betul, the percentages of

decisions confirmed are high, *viz.* 70, 69, 69 and 70 respectively; in Chanda and Wardha the percentages of reversal are high, 26 and 27; in Wardha and Seoni the percentages of cases modified are high, 13 and 16; while Balaghat is peculiar in showing the minimum percentage of confirmations, 40, and the maximum of remands for re-trial, 25. It is satisfactory to see that there was a very general decrease in the number of dismissals for default.

20. The appeals to Commissioners

from decrees of Civil Courts were	553
under the Rent Act...	350
from orders	103

And the number decided was

by the Commissioner, Nagpur Division ...	131
by the Commissioner, Nerbudda Division ...	109
by the Commissioner, Chhattisgarh Division ...	160
by Additional Commissioner, Jubbulpore and Nerbudda Divisions ...	585

The percentage of decisions confirmed by Commissioners was 51. It was highest in the Courts of the Commissioner, Nagpur, and Additional Commissioner, Jubbulpore and Nerbudda, 55, and lowest in the Court of the Commissioner, Chhattisgarh, 35. As might have been anticipated, the Commissioner, Nerbudda, used most freely the power of modification, while the Commissioner, Chhattisgarh, remanded the highest percentage of cases for re-trial. In the Chhattisgarh Division last year (1878) 15 per cent of the appeals was dismissed for default, in 1879 the percentage fell to 9. The Commissioner in his report states that he showed special consideration to appellants, and was always loth to dismiss their appeals, save when there was no reasonable prospect of the appellant appearing or when further delay would have been unjust to a respondent who was in attendance.

21. In the Judicial Commissioner's Court 449 appeals were disposed of as follows: in 215 cases or 48 per cent applications for special appeal were rejected, or, in other words, the decree of the lower Appellate Court was upheld; 3 appeals (or 1 per cent) were dismissed for default; 98 cases (or 22 per cent) were remanded for trial; in 13 cases or 3 per cent the decree of the lower Court was modified; in 81 cases or 18 per cent the decree was reversed; and in 39 cases or 8 per cent the decree of the lower Court was affirmed. Altogether the percentage of confirmation in the several classes of Appellate Courts stands thus:—

Judicial Commissioner's Court ...	56
Commissioners' Courts ...	51
Deputy Commissioners' Courts ...	57

Contrasting these figures with the corresponding ones of last year, it is seen that while the decrees upheld by Deputy Commissioners and Commissioners are about the same in both years, the confirmation of decrees in the Court of the Judicial Commissioner has fallen from 68 to 56. The percentage of last year was a little better than that of Oudh, but not so good as that of the Punjab. The Chief Commissioner trusts that next year the percentage of confirmation may be higher.

22. The duration of appeals in the Judicial Commissioner's and Commissioners' Courts was—

Judicial Commissioner's Court ...	49·8 days.
Commissioner, Nagpur Division ...	53·
Commissioner, Nebudda Division ...	45·7
Commissioner, Chhattisgarh Division ...	50·0
Additional Commissioner ...	23·0

The duration of appeals of all kinds in the Courts of Commissioners is shorter than in former years.

23. In 1879 there were in all 50,498 applications for execution of decrees, against 46,267 in 1878; but the number of applications is considerably below

that of 1877. The decrease is in part due to the fewer number of institutions in 1878, and in part to the provisions of Section 230, Code of Civil Procedure, which makes it necessary that on the last preceding application due diligence was used to procure complete satisfaction of the decree.

24. The number of debtors actually committed to gaol was 617, as compared with 459 in 1878. Of this number only 56 were declared insolvents. The Government of India, in its orders on last year's report, expressed some surprise that the insolvency provisions of Act X. of 1877 had not been taken greater advantage of. In 1879 the number of applications to be declared insolvent was actually smaller than in 1878. The Deputy Commissioner, Wardha, is one of the few officers who remarks on the subject. He says :—

"The number of persons committed to prison has risen from 45 in 1878 to 71 in 1879. The provisions of Chapter XX. in connection with insolvent judgment-debtors, have, I believe, now been pretty generally understood in the district. They are explained as provided by Section 336 to every prisoner when he is brought under arrest to the Court under its warrant. The number of applications only from persons so imprisoned out of 71 is however small. The number of persons actually discharged under Section 351 is only 2. The paucity of applications results, I believe, from the following causes :

"(1), incapacity of judgment-debtors to realize fully the advantages offered to them under the insolvency chapter ;

"(2), the advantages of the chapter are not so inviting to most of the judgment-debtors so arrested, as they are not often possessed of property sufficient to meet one-third of the scheduled debts ;

"(3), the debts (which perhaps may never be turned into decrees by creditors not coming to lodge suits and incur expenditure when the debtors are not men of substance) get turned into decrees when the provisions of the chapter are sought after ;

"(4), the provisions seem favourable to debtors of property, such as persons once wealthy, but not so to debtors of lower classes not having property even to cover one-third of their debts. The debtors in this district generally belong to lower classes."

The Chief Commissioner is inclined to think that the Deputy Commissioner has rightly explained the reasons of the little recourse to insolvency, but as the first reason may in time pass away resort may in future years be greater. On the other hand, there is one reason not mentioned by the Deputy Commissioner which possesses, the Chief Commissioner thinks, weight. Judgment-debtors are proverbially prone to conceal and make away with their property so as to defeat their creditors. They either hide it or make it over verbally or by a written instrument to their relations or friends. Such action is suspected by the judgment-creditor, who, however, cannot substantiate it. Such fraudulent debtors naturally fear to apply to be declared insolvents.

The number of cases in which lands, attached in satisfaction of decrees, were disposed of by the Collector by lease, mortgage, farm, or management, and also the number of cases of temporary alienation under Section 326, Act X. of 1877, have risen, though they are still not large. The fact is that enquiries by Collectors which have come before the Chief Commissioner in the course of the year, show that the lands are generally encumbered far beyond their value, and it is only exceptionally that the Collector can profitably intervene.

25. These are all the remarks that the Chief Commissioner has to offer. In conclusion he desires to express his acknowledgments to the Judicial Commissioner for a full and clear report which sets forth in detail the litigation of the year, and the action of the Courts ; shortcomings and defects of procedure are pointed out, and practical suggestions for their removal made. The Chief Commissioner's best thanks are due to the Judicial Commissioner for his direction of, and control over, the Courts.

I have the honor to be,
Sir,
Your most obedient Servant,

LINDSAY NEILL,

Offg. Secretary.

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IV.—Appeals.
V.—Process.

No. 403.

FROM

THE REGISTRAR,
JUDICIAL COMMISSIONER'S COURT,
Central Provinces,

To

THE SECRETARY TO THE CHIEF COMMISSIONER,
Central Provinces.

Dated Nagpur, the 3rd March 1880.

SIR,

I have the honor to submit the Judicial (Civil) Statements* for the year 1879, with the following remarks :—

**Prescribed.*	*Additional.*
B 1.—Tribunal Statement.	I.—Description value.
B 6.—Number and description of suits.	II.—Trial.
B 7.—Value of suits.	III.—Execution.
B 8.—Result of trials.	IV.—Appeal.
B 9.—Appeals.	V.—Process.
B 10.—Execution of decrees.	
B 11.—Juries and Assessors.	

A.—THE TRIBUNALS, B 1.

	1878.	1879.
Court of the Judicial Commissioner	1	1
Courts of the Commissioner	4	4
Court of the Additional Commissioner	1	1
Courts of the Deputy Commissioner	18	18
Courts of the Assistant Commissioner	35	36
Courts of the Tahsildar	51	51
Courts of the Naib-Tahsildar	30	30
	140	141
Courts of Small Causes in Cantonments	4	4
†Courts of Small Causes in Nagpur and Jubbulpore ...	2	2
Grand Total ...	146	147

2. The number of Civil Courts in these Provinces open at the close of 1878 and 1879, respectively, are compared in the margin.

Increase and decrease in Courts.

3. The strength of the Courts has virtually been the same as it was last year. There has been, however, an alteration in the number of Assistant Commissioners invested with the powers of a Deputy Commissioner under the Central Provinces Courts' Act. At Nagpur Mr. Laurie, Assistant Commissioner, and in the Hoshangabad District the Assistant Commissioner at Pachmarhi, and the Extra-Assistant Commissioner at Harda, have exercised these powers throughout the year; but there has been no Assistant Commissioner exercising the powers at Wardha as there was last year, and at Raipur the special powers were only exercised during six months. The increase in the number of Courts of the Assistant Commissioner is due to the fact that an additional Assistant has been appointed to the Provinces.

Relief to Courts of the Tahsildar.

4. It was said last year that relief had been given to the over-worked Tahsildars' Courts at Ramtek and Katol in the Nagpur District by the establishment of the Court of a Judicial Tahsildar at Saoner with a special local jurisdiction. The Saoner Court has proved very popular, but has become in its turn over-burdened with work. The Commissioner of the Nagpur Division says :—

> "The Saoner Court was opened to afford relief to the Courts of the Tahsildars of Katol and Ramtek. It quite succeeded in doing that, but now the new Court has more work than it can get through. The Deputy Commissioner of Nagpur agrees with me that the best plan of affording relief to the Judicial Tahsildar, will be to transfer two of the parganas now within the territorial jurisdiction of the Saoner Court, the one to Ramtek and the other to Nagpur, and to invest the Naib Tahsildar of Nagpur with Civil powers. If this is done I do not think that any one of the existing Courts will be over-worked."

As portions of the Ramtek and Nagpur Tahsils were included in the jurisdiction conferred on the Saoner Court, this will be merely a partial return to the former local limits in order to equalize the distribution of the work.

The Deputy Commissioner of Bilaspur has represented that the Tahsildar of Mungeli in that district has been subjected to too great a stress of work, but measures to relieve him have now been taken. The Commissioner of the Chhattisgarh Divison says :

> "In Bilaspur the head-quarter staff were lightly worked, while the Tahsildar of Mungeli was over-worked, and application has now been made to the Chief Commissioner for permission to transfer the Naib Tahsildar at Bilaspur to Mungeli, which will, I think, right the balance."

† In each of the Courts of Small Causes of Nagpur and Kamptee, the Registrar sits as a separate Judge or Court.

The Officiating Judicial Commissioner also found it necessary at the close of the year to point out that the Court of the Assistant Commissioner at Sambalpur was unduly weighted, and the services of a second Assistant Commissioner have, it is understood, been since placed at the disposal of the Deputy Commissioner of Sambalpur.

Generally, therefore, it may be said that the existing Courts have been able to cope satisfactorily with the Civil work of the Provinces; and that where local pressure has been felt, all that has been required has been a re-distribution of the work among the available Courts.

Relief to Appellate Courts of the Deputy Commissioner.

5. The districts in which officers, other than the Deputy Commissioner of the district, have exercised the powers of a Deputy Commissioner under the Central Provinces Courts' Act, have already been referred to. The object in investing these officers with appellate powers, was to relieve the Deputy Commissioner of the district of some part of the Appellate work which was becoming too heavy for him to dispose of single handed; but it has been found in the Hoshangabad district that the multiplication of the Appellate Courts has led to extended litigation in appeal.

In last year's report it was pointed out that although the number of original suits had decreased by 1,169, the number of appeals had actually increased since 1877, and it was then said:

> "There can be no doubt that in a town like Harda, the presence of an Appellate Court on the spot must lead to the institution of a number of appeals which would not otherwise be preferred at all. Possibly the increase of Appellate Courts may have been carried unnecessarily far in this district."

The attention of the Deputy Commissioner has been especially directed to the point, and it now appears that the anticipations of last year were correct. The original litigation in the Hoshangabad district during the year under review was substantially the same in character and extent as in 1877. There were 8,344 suits instituted in 1877, and 8,372 in 1879. The number of Appeals in 1877, when the Deputy Commissioner's Court was the only Appellate Court in the district, was 389. The number for 1879, when an additional appellate Court has sat throughout the year at Harda is 570; and a statement specially submitted by the Deputy Commissioner shows that while the appeals from the Harda Subordinate Courts in 1877 were 69, they have increased during 1879 to 269. Out of this number 238 were disposed of, the original decisions in no fewer than 131 cases being confirmed as they stood.

Mr. Williams, the Extra-Assistant Commissioner exercising the powers of an Appellate Court at Harda, gives the following explanation of this increase:—

> "Of course the opening of an Appellate Court at Harda has given greater facilities for appealing than existed in 1877 and 1876. Previously, when appeals from the Harda Courts were heard by the Deputy Commissioner at Hoshangabad, every appellant knew that, whatever the result of his appeal, and, however trifling the amount at stake, he would still be out of pocket Rs. 2-4 for railway fare, &c. * * *. This expenditure had to be incurred to file the appeal, and a second expenditure of similar amount had to be incurred when the appeal was heard. Thus even with the smallest cases, and with an appeal gained, each appellant had to make up his mind to lose Rs. 5 at the least. This knowledge no doubt acted as a deterrent in many cases."

The Deputy Commissioner considers that this enormous increase in appeals is mainly due to the greater facilities for appeal in a place notoriously litigious afforded by the presence of an Appellate Court on the spot; and he shows that the percentage of appeal is very much higher than it is at Hoshangabad, where there are the same facilities for appealing; and in order to check what he describes as "an unhealthy appetite for appeal" he proposes that in lieu of the present arrangement the Assistant Commissioner at the head-quarters of the district should be invested with the powers of a District Court. He says: "I would "advocate that the Harda appeals be heard as before at Hoshangabad, the "Senior Assistant Commissioner at head-quarters being invested with appellate "powers conjointly with the Deputy Commissioner. This would, of course, "always necessitate the posting of an experienced Senior Assistant to the head-"quarters, but this has been the practice for some time past, and should be con-"tinued, as it is manifestly impossible for one Deputy Commissioner to cope with "all the appellate work of the district and do justice to his other numerous "duties."

The Officiating Judicial Commissioner concurs with the Deputy Commissioner in thinking it advisable that for the future the powers of an Appellate

Court should only be exercised by the Senior Assistant Commissioner at Hoshangabad itself. Indeed he has only waited for the information supplied by the complete year's returns to recommend this change. The establishment of an Appellate Court at Harda has had the effect of giving an unnecessary and altogether unintentional stimulus to the practice of appealing in petty classes of suits; and as the object with which the Appellate Court was established at Harda can be attained equally well by investing the Senior Assistant at Hoshangabad with appellate powers, it is obviously desirable that this stimulus should be withdrawn. The argument employed by Mr. Williams that appellants, who would otherwise have appealed, were deterred, when their appeals had to be instituted at Hoshangabad, by the consideration that they must always lose Rs. 5, even in the event of their appeal being successful, depends on the double assumption that an appellant is obliged to attend the Appellate Court in person and to travel by rail—assumptions which, of course, are not universally applicable. It seems sufficient to say that, on the removal of the Appellate Court from Harda, the suitors there will be in the same position as regards their appeals as they always had been before June 1878, and in the same position, except so far as they have the advantage of a railway, as the suitors at every other outlying tahsil in the Provinces. The amount of appellate work done by the Assistant Commissioner at Pachmarhi is very small, and Hoshangabad is probably more convenient for the Sohagpur suitors than Pachmarhi.

Law libraries.

6. It has generally been reported that the various Courts are properly supplied with copies and translations of the necessary Acts of the Legislature. The Deputy Commissioner of Nagpur, however, states that Naib Tahsildars' Courts are not provided with a separate set of the prescribed law books, there being only one library for each Tahsil. He adds—"As both Courts are held in the same building it is of course unnecessary that there should be a complete set of all books of reference for each, but such Acts as the Civil Procedure Code and the Court Fees Act are certainly required, and should, I think, be provided in every Court."

The instructions laid down by this Court's Book Circular No. I of 1872 are that "every Civil Court of ordinary jurisdiction" shall be provided with at least two copies of the Acts of which a list is annexed to the Circular; and year by year the Acts to be added to the law library of every such Court are regularly prescribed. There ought therefore to have been no question about providing every judicial Naib Tahsildar with a separate set of these Acts. No doubt the general civil work of a Naib Tahsildar is simple enough, and the acquired knowledge of procedure possessed by him is probably sufficient for most of his requirements; but it is obviously improper that he should be dependent for every book of reference on the complaisance or leisure from civil work of the Tahsildar. The subject is particularly referred to because it is possible that in other districts there may have been the same want of provision of a law library for judicial Naib Tahsildars. The Deputy Commissioner of Raipur makes it a complaint against the subordinate Courts of his district that they only know the Civil Procedure Code and the Stamp Act, and this may be due in some cases to the fact that the Courts have not command of the necessary Acts.

The Commissioner of the Nagpur Division has some remarks on the delay which sometimes occurs in translating new Acts. As the translations of Acts are supplied to each district direct by the Chief Commissioner's Office, the Judicial Commissioner is not in a position to know why there should be any difficulty in obtaining translations of simple Acts, so far as the translation is concerned, such as the Civil Procedure Amendment Act of 1879. It is important that an Act which introduces changes in procedure, should be placed in the hands of the subordinate Courts as soon as possible after it has become law. The changes, however, immediately affecting the daily procedure of original Civil Courts have been explained by a Circular of this Court, and it is not probable that any real impediment to public business has resulted from the delay in supplying translations of Acts.

The question how far the Courts of Sambulpur should be supplied with Uriya translations of the Acts has not yet been finally settled. It has been ascertained that the cost of having the necessary translations made will be heavy; and as the object of a Court library is to enable the presiding Judge to refer to the laws which he has to administer, and as Hindi is understood by all the Judges in Sambalpur, the Officiating Judicial Commissioner thinks that it will be sufficient

if Hindi translations are sppplied. The Chief Commissioner has been separately addressed on the subject.

Judicial forms.

7. Printed forms are liberally supplied to all Courts, and more method and care in storing and distributing them, and greater economy in using them has generally been reported. But it is still found in checking the indents for forms that there is a general desire on the part of district offices to have in stock every possible form, irrespective of considerations of demand. Actual requirements, however, based on actual expenditure have been carefully looked to. But there are some districts which apparently have a stock of forms, either obsolete or never required for use, in which the arrangements for the safe keeping and issue of forms should be placed on a sounder footing. The Deputy Commissioner of Narsinghpur reports that on the occasion of the last Muharram he found a tazia at one of the Tahsil head-quarters entirely composed of new Civil forms still in ordinary use. The Judicial Commissioner has generally found on his inspection tour that the forms are properly stored and kept. But it is only by vigilance on the part of the Deputy Commissioner that abuses of the kind mentioned can be checked. A greater measure of success has also been obtained in securing that indents shall be prospective, and in order to lessen the pressure upon the Jail presses at Nagpur and Jubbulpore, the Inspector General of Jails has arranged that all the vernacular forms required for the Courts in the Chhattisgarh division shall be supplied by the local jails. With regard to the other districts it is to be arranged that their indents shall reach the presses on certain fixed dates, varying for each division, so that the presses will be able to supply the forms successively indented for without delay, instead of being called upon at one time to meet the requirements of half the districts in the Provinces.

Year.		365 days.
Holidays.		
Deduct holidays.		
Summer vacation from 15th May to 15th June	31	
Sundays in eleven months	49	
Civil Court casual holidays	50	130
	Open days.	235

8. During the year the Courts were open on 235 days as per margin.

Local Bar.

9. The local bar consists of four Barristers-at-law, two of whom reside at Jubbulpore, one at Nagpur, and one at Raipur; two Attorneys at-law, and sixty-nine Pleaders, whose local distribution is ordinarily as follows :—

Town.	No.	Town.	No.
Nagpur	16	Damoh	2
Bhandara	2	Seoni	1
Wardha	6	Hoshangabad	9
Hinganghat	1	Harda	6
Arvi	1	Narsinghpur	6
Jubbulpore	9	Burhanpur	1
Saugor	6	Raipur	2
Rehli	1		

There has been something of an accession of numerical strength to the local bar during the year. Two pleaders from the North-Western Provinces have been admitted to practice, and an Advocate of the Bombay High Court has taken up his residence at Nagpur. An examination of local candidates for admission as pleaders was held at Nagpur in October under Act XX. of 1865, which had only been extended to these Provinces in September of the previous year. Three of the candidates received certificates from the Board of Examiners, but none of them had begun to practise before the end of the year. Two of these gentlemen were Maratha Brahmans and the third was a Mussalman. On the other hand, one of the old pleaders died during the year, and another has accepted Government service.

The total number of pleaders permanently practising in the Provinces is still very small. Not only are there no resident pleaders in many of the districts, but it is said further that in several districts no single case was conducted by a pleader during the year. The Officiating Judicial Commissioner found it necessary to suspend one pleader for unprofessional conduct during a

portion of the year ; but generally the reports show that the standard of professional respectability has been maintained. The tendency to imperfect preparation of cases which was referred to last year is again discussed by the Commissioner of the Nagpur Division, who suggests as a remedy that parties should be allowed to take unauthenticated copies of the record without payment of Court fees, which the Commissioner believes to be the practice in Bengal. The Officiating Judicial Commissioner is not aware of the practice in the Bengal Courts. But it would seem that copies of judicial proceedings cannot be granted, whether authenticated or unauthenticated, except on payment of the *ad valorem* fees prescribed by the first schedule of the Court Fees Act. In the meanwhile it is within the power of all Appellate Courts, and indeed is their duty, to insist on the proper preparation of all cases in which pleaders appear, even should it entail the payment of extra fees for the obtaining of copies of the material portions of proceedings which they are unable to examine personally. The Appellate Court can also be moved to send for the records of the first Court's proceedings in time to allow of their being examined at the Appellate Court itself before the appeal is decided.

One other point seems to call for notice. The Additional Commissioner complains of the employment of touts apparently by the Jubbulpore practitioners, and of the increase of the class of professional mukhtárs. He says :—

> "The employment of touts still exists to a great extent, and the extension of the meaning of 'recognized agents' has, I am sorry to say, allowed professional mukhtárs to creep in both in original and Appellate Courts Under the present arrangements recognized by law, when a special power is filed in every case, it is much more difficult to exclude these pests, who exist only to create and foster unwholesome litigation."

The practice of employing touts or brokers, for the purpose of introducing clients, is no doubt open to grave objection ; and in the Punjab the Chief Court has publicly notified that it will regard the making of any payment or allowances by practitioners in the Punjab Courts to agents or brokers as grave professional misconduct, and deal with it accordingly. The subject cannot be conveniently dealt with here, but if the practice is common at Jubbulpore a special report should be made to this Court. Probably the practitioners in these Provinces are not yet accustomed to regard themselves as a corporate whole ; but as professional *esprit de corps* grows stronger it may be hoped that a practice, which has been so strongly condemned by the feeling of the bar elsewhere, will be abandoned. But this result can only be the fruit of a general improvement in public morals on matters of this sort, and will probably be long deferred. In making the remarks quoted above as to the extension of the meaning of the term "recognized agents," the Additional Commissioner must have written, the Officiating Judicial Commissioner thinks, under some misapprehension. The orders of this Court to which the Additional Commissioner appears to refer only require that the recognized agents, who are to be admitted by the Courts under exactly the same conditions as before, are to file special powers of attorney in each case in which they appear. The Deputy Commissioner of Balaghat reports that under the existing rules he has this year succeeded in entirely excluding from the Courts of that district a number of professional mukhtárs.

B.—Extent and Character of Litigation.

Increase and decrease in litigation.

10. It will be seen from the following table that the uniform decrease in litigation of last year has been succeeded by an equally uniform increase during the year under report. Balaghat, Bilaspur and Saugor are the only exceptions to the general rule. Every other district in the Province shows a larger number of suits than it did in 1878. It is curious that Balaghat, which was the single exception in 1878 to the almost universal decrease in litigation, should now show not only an absolute, but a very large, decrease, when an increase is general. The results of the year may be summarised as follows. In Balaghat, Bilaspur and Saugor litigation has fallen below the average of the last few years ; in all the other districts it has increased as compared with 1878 ; and on the whole has reached a higher figure than in any preceding year except 1877.

Statement showing the number of Suits instituted and re-instituted in the Civil Courts of the Central Provinces, from 1862 to 1879.

Year.	Nagpur. District.	Nagpur. City Small Cause Court.	Nagpur. Cantonment Small Cause Court, Kamptee.	Nagpur. Total.	Chanda.	Bhandara.	Wardha.	Balaghat.	Jubbulpore. District.	Jubbulpore. City Small Cause Court	Jubbulpore. Cantonment Small Cause Court.	Jubbulpore. Total.	Saugor. District.	Saugor. Cantonment Small Cause Court.	Saugor. Total	Seoni.	Damoh.	Mandla.	Hoshangabad.	Betul.	Nimar. District.	Nimar. Cantonment Small Cause Court, Asirgarh	Nimar. Total.	Narsinghpur.	Chhindwara.	Raipur.	Bilaspur.	Sambalpur.	Upper Godavari.	Grand Total.
1862 ..	3,349	1,622	1,612	6,583	667	1,750	658	...	1,619	315	504	2,438	2,313	601	2,914	806	760	369	2,016	1,058	...	...	...	2,121	705	1,326	163	345	7	24,666
1863 ..	3,020	1,436	2,338	6,794	687	1,634	592	...	1,385	1,321	686	3,392	2,380	572	2,952	973	729	201	2,202	1,142	...	...	...	2,691	1,038	820	222	201	35	26,305
1864 ..	2,647	1,692	1,706	6,045	716	1,692	490	...	1,230	1,683	612	3,525	2,109	1,161	3,270	1,280	859	354	3,183	1,278	4,398	...	4,398	2,542	870	1,221	707	275	42	32,697
1865 ...	2,974	1,288	806	5,068	649	2,076	927	...	1,734	1,739	455	3,928	2 741	709	3,450	1,343	1,377	563	5,887	1,156	3,854	...	3,854	3,558	1,303	1,573	1,781	695	66	39,254
1866 ..	3,286	2,320	1,017	6,623	1,021	2,420	1,216	...	1,405	1,636	481	3,522	2,988	720	3,708	1,185	1,289	421	5,279	1,194	7,561	...	7,561	3,416	1,345	1,379	2,896	594	163	45,250
1867 ..	3,390	3,289	1,323	8,002	1,219	2,934	1,893	303	1,685	1,662	296	3,643	2,724	389	3,113	1,263	1,709	380	5,427	1,979	5,541	27	5,568	3,272	1,990	1,406	3,762	592	89	48,544
1868 ..	4,566	4,060	2,083	10,709	1,636	2,798	3,057	810	1,699	2,052	541	4,292	3,612	559	4,171	1,394	1,631	401	5,494	2,732	6,508	244	6,752	4,125	2,770	1,659	3,466	538	125	58,558
1869 ...	5,529	4,415	3,454	13,398	2,006	2,814	3,724	925	1,441	1,984	514	3,939	4,052	835	4,887	1,387	1,760	528	5,063	2,354	7,854	293	8,147	4,535	3,340	1,982	1,298	886	159	63,137
1870 ...	5,648	4,880	3,407	13,935	2,557	3,596	4,277	727	1,725	2,435	445	4,605	4,003	692	4,695	2,185	1,693	656	6,750	2,702	7,689	165	7,854	5,657	4,027	3,123	1,866	959	289	72,183
1871 ...	6,761	5,300	2,594	14,661	2,937	3,507	6,169	1,236	2,278	2,499	463	5,240	3,132	699	3,831	2,619	1,783	569	6,695	3,207	8,551	118	8,669	6,385	3,616	3,194	2,381	1,112	286	78,088
1872 ..	6,060	5,061	2,779	13,900	2,072	3,122	5,485	989	2,313	2,400	511	5,224	2,652	672	3,324	1,904	1,343	679	7,219	3,249	9,572	174	9,746	5,593	3,537	2,641	2,561	1,087	277	73,955
1873 ...	6,315	5,700	2,428	14,452	2,161	2,663	6,051	1,191	1,985	2,254	437	4,676	2,979	432	3,411	1,692	2,060	661	7,918	3 278	7,808	147	7,955	6,369	3,633	2,657	2,081	1,427	252	74,594
1874 ..	6,904	6,104	2,837	15,845	2,039	2,707	6,839	1,319	2,106	2,493	445	5,044	3,328	302	3,630	1,450	1,744	690	7,522	2,983	7,480	90	7,570	6,265	3,729	3,662	2,085	1,337	179	76,639
1875 ..	7,310	5,993	2,885	16,188	2,235	2,812	7,061	1,508	2,012	2,275	421	4,711	3,381	281	3,662	1,863	1,542	630	7,927	3,225	8,208	62	8,270	5,756	4,464	3,358	2,043	1,354	169	78,777
1876 ...	9,152	7,465	2,830	19,447	3,175	3,190	7,159	1,581	2,205	2,037	430	4,672	3,719	399	4,018	1,601	1,477	624	8,331	3,396	8,454	84	8,538	4,967	4,391	4,838	2,885	1,812	108	86,265
1877 ..	10,244	7,401	3,189	20,834	3,085	3,681	6,400	1,795	2,615	2,219	456	5,290	4,190	300	4,490	1,841	1,940	772	8,344	3,216	7,469	97	7,566	5,146	3,969	5,326	2,868	1,784	137	88,484
1878 .	9,105	8,301	3,493	20,899	2,754	3,074	4,549	2,300	2,427	2,508	454	5,389	3,810	297	4,107	1,315	1,500	557	7,175	2,516	6,436	57	6,493	4,351	3,200	4,790	2,576	1,738	...	79,783
1879 ...	10,411	7,844	2,939	21,194	3,175	3,668	5,641	1,339	2,690	2,801	553	6,044	3,284	190	3,474	2,345	1,640	847	8,372	3,268	7,674	69	7,743	4,604	3,420	5,774	2,481	2,833	...	87,862

Grades and number of Courts at the close of 1879.	Nagpur.	Chanda.	Bhandara.	Wardha.	Balaghat.	Jubbulpore.	Saugor.	Seoni.	Damoh.	Mandla.	Hoshangabad.	Betul.	Nimar.	Narsinghpur.	Chhindwara.	Raipur.	Bilaspur.	Sambalpur.	Upper Godavari.	Grand Total.
Courts of the Deputy Commissioner ..	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	...	18
Courts of the Assistant Commissioner. ..	3	3	2	2	1	2	3	1	1	1	4	1	3	2	1	3	2	1	...	36
Courts of Tahsildar	5	4	2	3	2	3	4	2	2	2	4	2	2	3	2	4	3	2	...	51
Courts of the Naib Tahsildar ..	3	1	2	3	...	1	3	1	...	...	4	2	3	1	2	2	1	1	...	30
Small Cause Courts and Registrar's Courts ...	4	...	...		...	2	1	...	...	...	...	...	1	...	...	...	.	...	...	8
Total ...	16	9	7	9	4	9	12	5	4	4	13	6	10	7	6	10	7	5	..	143

I.—Increase and Decrease of Litigation.

Comparative table of suits instituted and re-instituted.

11. The following table shows the fluctuations of business during the last five years in the Courts at each locality where they are established :—

Locality of Courts.		Number of suits instituted and re-instituted.				
		1875.	1876.	1877.	1878.	1879.
Nagpur ...	Nagpur	2,580	2,595	2,790	1,919	1,986
	Court of Small Causes, Nagpur ..	5,993	7,465	7,401	8,301	7,844
	Total ...	8,573	10,060	10,191	10,220	9,830
	Kamptee ..	2,885	2,830	3,189	3,493	2,939
	Katol ..	2,159	2,703	3,148	1,849	1,960
	Ramtek ...	1,550	2,335	2,670	2,143	1,793
	Saoner ...	...	...	...	1,358	3,055
	Umrer ..	1,021	1,519	1,636	1,836	1,617
Chanda ..	Chanda ...	693	805	832	748	646
	Warora ...	682	1,412	1,031	670	910
	Mul .	324	426	457	466	674
	Brahmapuri .	536	532	765	702	839
	Sironcha Sub-division ...	169	108	137	168	106
Bhandara ..	Bhandara ..	795	1,279	1,568	1,374	2,097
	Tirora ...	1,353	1,337	1,302	1,237	996
	Sakoli ...	664	574	811	463	575
Wardha ...	Wardha ..	3,503	3,923	2,947	1,960	2,680
	Arvi ...	2,186	1,917	1,987	1,451	1,396
	Hinganghat ...	1,372	1,319	1,466	1,138	1,565
Balaghat ...	Burha	1,396	1,443	1,666	2,131	1,214
	Behir ...	112	138	129	169	125
Jubbulpore ..	Jubbulpore ...	905	920	1,037	874	736
	Court of Small Causes, Jubbulpore ...	2,278	2,037	2,219	2,508	2,801
	do. do. Cantonment ..	421	430	456	454	553
	Total ...	3,604	3,387	3,712	3,836	4,090
	Murwara ..	322	341	421	467	507
	Sihora ...	785	944	1,157	1,086	1,447

Locality of Courts.		Number of suits instituted and re-instituted.				
		1875.	1876.	1877.	1878.	1879.
Saugor	Saugor ...	1,539	1,729	2,092	1,846	1,614
	Court of Small Causes, Saugor ...	281	299	300	297	190
	Kurai ...	705	775	804	752	725
	Rehli ...	929	936	1,008	903	643
	Banda ...	208	279	286	309	302
Damoh	Damoh ...	1,202	1,156	1,469	1,103	1,294
	Hatta ...	339	321	471	397	346
Seoni	Seoni ...	1,446	1,229	1,390	1,257	1,565
	Laknadon ...	417	432	451	558	780
Mandla	Mandla ..	504	506	565	465	705
	Ramgarh ...	126	118	207	92	142
Hoshangabad	Hoshangabad ...	2,006	2,349	3,054	2,067	2,400
	Seoni ...	803	897	934	849	1,076
	Harda ..	3,044	3,621	2,841	2,627	3,289
	Sohagpur	2,074	1,464	1,515	1,311	1,424
	Pachmarhi Sub-division ...	...	...	...	318	183
Betul	Betul ...	1,994	2,030	1,964	1,769	2,112
	Multai ...	1,231	1,366	1,252	747	1,156
Narsinghpur	Narsinghpur ...	2,651	2,314	2,288	2,243	2,294
	Chawarpatha	512	165		...	...
	Gadarwara ...	2,593	2,488	2,858	2,108	2,310
Nimar	Khandwa ...	4,842	4,974	4,410	2,817	4,779
	Burhanpur ...	2,582	2,722	2,432	3,276	2,469
	Mortakka ...	784	758	627	343	426
	Court of Small Causes, Asirgarh...	62	84	97	57	69
Chhindwara	Chhindwara ...	2,913	2,993	2,785	1,753	1,958
	Saosar ...	1,551	1,398	1,184	1,447	1,462
Raipur	Raipur ...	2,115	2,788	3,023	2,687	3,292
	Drug ...	374	479	700	854	980
	Dhamtari ...	349	620	617	648	546
	Simga ...	520	946	986	601	956
Sambalpur	Sambalpur ...	906	1,151	961	1,058	1,142
	Bargarh ...	448	661	823	680	1,691
Bilaspur	Bilaspur ...	1,329	1,727	1,283	835	1,027
	Mungeli ...	465	749	579	666	1,002
	Seorinarain ...	249	409	1,006	1,075	452
	Total ...	78,777	86,265	88,484	79,783	87,862

It has been admitted for some years past that the general tendency of litigation in these Provinces is towards increase. The results commented upon in last year's report, which supplied, as it was then said, an apparent contradiction to this view, were attributed to certain general causes. The year 1878 was a year of great scarcity and hardship, and this was the reason assigned and generally accepted, especially as regards the two northern divisions, for the sudden and remarkable falling off in litigation. The year now under review has been a year of brighter prospects and of better harvests, and this change is believed to account for the almost universal increase in litigation in the districts of these two divisions.

The Deputy Commissioner of Hoshangabad writes as follows :—

"Last year the decrease of litigation was attributed to the pressure of hard times. In the beginning of 1879 there was no such return of prosperity as to justify the hope that better times were very close at hand. The rabi harvest was certainly a better one than that of the previous year, but it was not a good one; and it was only when the rains set in and ceased, and a good kharif harvest had been gathered, that hard times could be said to have ceased."

He then goes on to show that the main increase in the year's litigation in the Hoshangabad district was not coincident with the assured success of the kharif crop, but occurred during the earlier quarters of the year, when it could only be said that prospects were not so black as they had been in 1878. The increase during these quarters was, he thinks, the result of two causes, viz.—

"(1), the poorest class of debtors could offer no further security for the renewal of their debts;

"(2), creditors in many cases could wait no longer, or the period within which they could sue was about to expire, and they rushed to seize what they could before times became worse, and take advantage of the high price of grain."

The Additional Commissioner writing on the subject of the increased litigation in the Nerbudda Division, says :—

"The cause or causes of this increase is, I think, not far to seek, and was predicted in last year's report, when it was stated that 'if the current year *i. e.*, 1879, be favourable (as to harvests), we may now expect to see the result of these deferred claims.' These results are increased litigation in each district of the division. The total increase, however, is not commensurate with the decrease of the previous year. The figures for the year under report are less than in 1877 in the districts of Narsinghpur and Chhindwara, greater in the other three districts."

With regard to the litigation in the Jubbulpore Division, the Additional Commissioner writes:

"Litigation has increased in four out of the five districts, *viz.* in the districts of Jubbulpore, Seoni, Mandla and Damoh, while it has fallen off in Saugor. In the three first named districts the figures now reached are higher than in any previous year."

This is not quite correct as regards Seoni, where litigation was higher in 1871 than in 1879; but it may be accepted that the tendency to increase has been constant in Jubbulpore, Seoni and Mandla, while "in Damoh, there has been no permanent tendency to increase since 1867, but only temporary fluctuations."

"I have no doubt myself" —the Additional Commissioner adds— "that the increase is due to the better condition of the people, who during the past year have been generally well-off and in a position to be proceeded against by greedy creditors, who in the previous year, when the poorer classes were on the verge of starvation, had no motive to push matters to extremity."

The Commissioner of the Division records the following remarks on this expression of opinion:

"It may, I think, be argued with at least equal plausibility that a good harvest has a tendency to cause a decrease of suits, inasmuch as debtors are in a better position to meet the demands of creditors. The Deputy Commissioner Saugor, gives it as his experience in the Court of Wards that when there is a good harvest agriculturists pay up without any compulsion. The theory advanced is that suits fall off when times are bad because creditors have little hope of realizing. This would be a valid reason for a falling off in applications to execute, but does not seem to be a probable cause for a decrease in suits, since applications to execute may be made at any time within three years after the date of decree.

"It will be observed that the Deputy Commissioner Seoni, ascribes an opposite reason for the similar increase in his district. The real causes of the increase and decrease of litigation are complex and deep-lying, and the ordinary theories of district officers which affect to trace the connection of these results with the state of the harvest are superficial and altogether inadequate. A full and complete exposition of the causes which in any year have led to an increase or decrease of litigation would require a patient and laborious investigation, in the absence of which it seems best to refrain from making surmises which are really worthless."

The Judicial Commissioner has continually insisted on the necessity of substituting analysis of cases for what is too often mere random guess-work, if trustworthy conclusions as to the changes in district litigation are to be obtained; but the Commissioner of the Jubbulpore Division appears in this instance to have written without special reference to the actual conditions of litigation during the last two years. No doubt there are causes more or less recondite affecting the yearly fluctuations of litigation in every district, and no casual investigation will succeed in laying these causes bare. But when a broad general result in one year is followed in the succeeding year by a broad general result in the opposite direction, it may safely be concluded that the cause does not lie very deep. Experience has shown that in a time of general and protracted distress litigation falls off, and the explanation of the falling off at such times was last year accepted to be that creditors, seeing no prospect of immediate realization, refrained from suing their debtors. And it may be added that creditors also feel the effects of bad seasons, and may be as unable to find the money to meet the costs of litigation, as their debtors are to find money to pay them. It is a mistake to regard the classes of debtors and creditors as belonging to quite separate portions of the population and as not affected by the same causes. The Commissioner thinks that the bad season might be a valid reason for a falling off in applications to execute, but not in suits; but he does not seem to have remembered that for a creditor to sue a debtor, when his claim has still time to run, at a season when there is no present prospect of recovering the debt, is to advance money on order that it may lie idle, as no interest is allowed in the costs of a suit. The Deputy Commissioner of Chhindwara says:—

"But even the baniya has, in this district, learned that it is difficult to conjure blood out of a stone, and the succession of bad harvests for the past years has put it quite out of the power of the poorer people to pay even the cost of a baniya's suit."

The decline in litigation last year, which was common to all the districts in the Northern divisions, was mainly in suits of the lowest value; and in suits of this class it is found that execution, except in cases where fresh arrangements are made, almost always follows immediately on the decree. In the year under report litigation has increased in every district but one in these divisions; and this increase succeeding the universal decrease of last year, is shown to correspond with what have been already described as the brighter prospects and better harvests of 1879. Although, therefore, it may be perfectly true that a good harvest enables many agricultural debts to be paid without recourse being had to the agency of our Civil Courts, it may also be true that good harvests have operated under the special circumstances here dealt with to increase the year's litigation.

The Officiating Judicial Commissioner thinks that the interruption in the normal rate of progress discussed last year, and the return to it in the year now under review, may generally be attributed to the character of the seasons through which the people have passed.

In the Nagpur Division every district except Balaghat exhibits an increase of institutions. No very intelligible reasons for the increase have been assigned, nor need special explanations be looked for. The Commissioner, after examining the various explanations submitted, thinks that "it may perhaps be concluded that "the gradual progress of litigation, interrupted last year, has simply been resumed." In speaking of the larger number of institutions in the Bhandara district he expresses the same opinion. "I am inclined to think that litigation in Bhandara "is resuming its normal course after the check of 1878."

The decrease of litigation in Balaghat is not easy to account for. Last year when litigation was at a stand-still or on the decline in every other district, it

maintained its upward course in Balaghat. Now that the rule of progress has again asserted itself in the other districts of the Province, Balaghat shows a diminution of nearly a thousand suits.

On this subject the Nagpur Commissioner writes as follows :—

"The Deputy Commissioner of Balaghat attributes the decrease mainly to his having expelled from the Courts a large number of professional mukhtárs, who fostered litigation; and after that to the absence of want, the good harvests, the prevalence of cholera, and the unpopularity of a Tahsildar; and he adds, 'I have now every hope that the decrease will be progressive, and that litigation will come down still more, till a natural and healthy condition is attained'. I have no doubt that the Deputy Commissioner's action in refusing to allow certion persons, or a certain class of persons, to appear in Court and conduct suits, has had very much to do with the decrease, and it is possible that his action has been misinterpreted. If it be understood that he is only anxious to exclude professional mukhtárs from the Courts, there is every reason to think, and hope, that suits will again tend to increase. I say hope, because I consider that 1,339 civil causes is not a large number for a district like Balaghat; and were the number to decrease, I should consider it a sign that the district was declining in prosperity, or that our administrative arrangements had in some way gone wrong. As for the other causes of the decrease adduced by the Deputy Commissioner, I cannot feel satisfied that any one can be clearly discerned, or its action proved. Absence of want and good harvests, do not check litigation: the decrease was not mainly in the months during which cholera was epidemic, and the monthly institutions in the Tahsildar's Court compared with those in the preceding year do not furnish proof that the unpopularity of the Tahsildar was the cause of fewer institutions. I am more inclined to think that the same causes that were at work in the rest of the division in 1878, operated in Balaghat and the Tirora Tahsil of Bhandara during the past year, and if that be so we may expect to see institutions rise."

The Officiating Judicial Commissioner agrees generally with these views, and will ask the Commissioner to see that the Deputy Commissioner has acted with proper discretion in excluding the persons alluded to as professional mukhtárs.

The circumstances of the Chhattisgarh Division are different. The decrease in litigation last year was only nominal, and special causes were at work to retard the development which might otherwise have been expected. The litigation has now advanced in Raipur and Sambalpur to the highest point which it has yet touched in those districts; and though in Bilaspur it is still below the figures of the last few years, the falling off has been confined to the institutions at one particular tahsil.

Last year the presence of cholera in a virulent epidemic form virtually closed the Courts in Sambalpur for some time, and operated to prevent recourse to the Courts in Raipur. During 1879, cholera, though it has not been absent, is said not to have materially interfered with the resort of the people to the Courts. "Trade"—says the Commissioner of the Division—"was everywhere "brisk, and the yield and prices of agricultural produce were remunerative." The Deputy Commissioner of Sambalpur attributes the return to the normal progress of litigation to the absence of the retarding influences of 1877 and 1878; and thinks that some portion of the increase is due to the improved procedure of the Tahsildars, who in the previous years had wearied out suitors by unnecessary adjournments and improper dismissals. He also refers to the growing importance of the land litigation, developed by the uncertainty surrounding much of the work of the Settlement lately concluded. The Deputy Commissioner of Raipur assigns the increasing trade of the country and the high prices commanded by agricultural produce as reasons for the advance in litigation in his district.

At Bilaspur the number of suits falls short of the average institutions during the last three years, but this is due to a decrease of 600 suits, as compared with the results of the two previous years, in the institutions in the Courts at Seorinarain. With reference to this the Commissioner of the Division writes :—

"The Deputy Commissioner of Bilaspur has attempted no explanation of the large decrease at Seorinarain, but the explanation appears to me to lie in the fact that in 1878 the tahsil was entirely free from cholera, while in 1879 it was devastated by the disease; and the presence of the epidemic during the hot weather and rains of the latter year was the main cause, as I believe, of the diminished litigation."

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No further remarks on those results appear to be necessary. The rule has been progress, which has been accounted for on broad intelligible grounds, and the exception is explained by distinct local causes.

The business of the Small Cause Court at Jubbulpore has increased with the general increase in the district litigation; but the business in the Small Cause Courts of Nagpur and Kamptee has fallen off to some extent. The Deputy Commissioner of Nagpur considers that this result, in the case of the Nagpur Small Cause Court, was due to the fact that it had been the practice of that Court, up to the middle of 1878, to admit suits in which moveable property was mortgaged, and the declaration of the mortgagee's lien asked for, and that the practice has been entirely discontinued during the year under review. Without an examination of cases, it is impossible to say how far this explanation may be correct. At Kamptee, the falling off is attributed by the Judge to changes affecting the Cantonment population, produced by the despatch of a number of Commissariat camp followers to the front, and the removal of the wing of one of the Native Infantry Regiments to Jubbulpore. The Deputy Commissioner of Nagpur also thinks it probable that "people have resorted less to the Small Cause Courts" "owing to the fact, which was pointed out by the Judicial Commissioner in last "year's report, that the decrees of these Courts had been rendered less valuable "in consequence of the introduction of the new Code of Civil Procedure, under "which a Small Cause Court decree can no longer be executed against property "outside the jurisdiction of the Court." It is possible that this may have had some small effect, but the disability was removed by Act XII. of 1879, which came into force on the 29th July last.

II.—Value of Suits.

12. The relative values of suits disposed of in the years 1878 and 1879 are compared in the following table:—

Relative value of suits disposed of.

Grades of value not exceeding		Number of suits disposed of in 1878.	Number of suits disposed of in 1879.	Percentage of total suits.		Average value.	
				1878.	1879.	1878.	1879.
Rupees	5	11,630	12,902	14·8	14·7	3	3
"	20	28,665	31,852	36·5	36·3	12	12
"	50	20,871	23,670	26·5	27·	33	31
"	100	9,130	10,112	11·6	11·6	69	74
"	300	6,004	6,721	7·7	7·6	168	168
"	500	1,079	1,123	1·4	1·3	383	391
"	1,000	746	786	1·5	1·5	695	674
"	5,000	408	447			1,969	1,882
"	10,000	35	37			7,648	6,299
Exceeding Rupees	10,000	18	27			92,387	27,172
Total ...		78,586	87,677	100·	100·	...	.

The character of the year's litigation has been nearly identical with that of last year. The proportion of suits of less value than a hundred rupees was 89· per cent in 1878, and is now 89·6 per cent. It might have been expected, however, that there would have been an increase in the proportion of suits of the lower value. It was pointed out last year that the decrease was most marked in the lowest classes of suits. The proportion of suits not exceeding Rs. 5 in value fell from 17·2 per cent of total disposals in 1877, to 14·8 per cent in 1878. The present figure is 14·7 per cent, or rather lower than in 1878, although the total number of suits nearly approximates the total number of 1877. Somewhat similar results are to be observed in suits not exceeding Rs. 20 in value. On the

other hand the actual number of suits of every grade of value above Rs. 50 is larger than in 1877. In so far, therefore, as the litigation of the year has fallen short of 1877, it has fallen short in suits of the two lowest grades of value.

Observations on value of suits by districts.

13. The following table presents the subject in detail according to districts.

Percentages of suits (disposed of) of the several classes of value.

		Not exceeding Rs. 5.	Not exceeding Rs. 20.	Not exceeding Rs 100.	Not exceeding Rs 500.	Exceeding Rs 500.
Nagpur ...	1878	18·9	38·1	34·8	7 1	1·1
	1879	18·1	37 3	36 5	6·9	1 2
Chanda ...	1878	11·5	43·2	39·4	5·4	·5
	1879	12 2	41·4	38·2	7 6	·6
Bhandara .	1878	14 6	36 5	40·8	7 2	9
	1879	14·5	36·3	41 0	7 2	1 0
Wardha ...	1878	9 1	33·8	44·1	11·7	1 3
	1879	10 2	36 2	40·3	12 0	1 3
Balaghat ...	1878	16·8	37 9	37 5	6 7	1·1
	1879	15 3	36·8	40·0	6·6	1 3
Jubbulpore ...	1878	13 4	35 2	38·1	10 6	2 7
	1879	13·1	35 8	38 8	10·2	2 1
Saugor ...	1878	11 9	35·8	41·1	9 7	1 5
	1879	12 4	36 2	39 2	9·7	2·5
Damoh ...	1878	9·	37 7	43 7	8 5	1·1
	1879	11·4	36 4	41 3	9 8	1·1
Seoni .	1878	17·1	37 8	36 6	7·7	·8
	1879	14·5	37 3	39	7·9	1·3
Mandla ...	1878	19 6	35 0	33 8	10 5	1 1
	1879	19 1	39 0	34 4	6·3	1 2
Hoshangabad ...	1878	9 9	30 6	40 0	15 7	3·8
	1879	10·2	29 2	42 6	15 1	2 9
Betul .	1878	14·1	38·1	38·8	8 3	·7
	1879	17·4	34 2	41·2	6 6	·6
Narsinghpur ...	1878	8 6	29 9	47·1	12 5	1·9
	1879	7 1	30 9	45·8	13 4	2 8
Chhindwara ...	1878	11 1	38 6	42 9	6 2	9
	1879	11 7	41 2	40 9	5 5	·7
Nimar ...	1878	16 6	36 2	38·8	7·4	1
	1879	15·9	37·5	37·7	7 9	1·
Raipur ...	1878	17 1	38 0	32 5	10 3	2·1
	1879	17 7	39 0	33 7	8·1	1·5
Sambalpur .	1878	16 1	41 2	35 3	7 0	·4
	1879	21 2	37 2	33·3	7 6	·7
Bilaspur	1878	21 4	40 4	29 2	7·2	1 8
	1879	19 1	41 0	30·8	7·7	1 4

The lowest classes of suits have generally been found, as it was said last year, to be the most susceptible of variations; and the general decrease in litigation commented upon in last year's report, was shown to have reduced the proportion of suits not exceeding Rs 5 in value in every district in the Provinces except three. In the present year eight of the districts in which litigation has increased, show a proportionate decline in this class of suits; and Saugor, one of the three districts in which litigation has fallen off, exhibits an increased proportion of these suits.

Anomalous results of this kind are to be expected, and no explanation has been attempted by the Deputy Commissioners of these districts. It will be shown further on why the reviving litigation of the year has not fully extended to the two grades of suits of the lowest values.

III.—Description of Suits.

Comparison of numbers and proportion of suits, 1878-79.

14. The following table, comprising the number and proportion of suits of the principal kinds during 1878 and 1879, is prepared from Statement No. I.—

	1878.		1879.	
	Number of suits.	Percentage of total suits.	Number of suits.	Percentage of total suits.
Money due on bond or other contract ...	60,871	77·4	68,359	78 0
Recovery of moveable property or value thereof...	10,188	13·	11,492	13 1
Damages	2,343	3·	2,431	2 8
Immoveable property	3,670	4·7	3,669	4·2
Rent not falling under the Rent Law ..	770	1·	835	·9
Other claims	744	·9	891	1 0
Total ...	78,586	100·	87,677	100·

An increased proportion of suits under the first head was to be expected. It covers almost all the petty suits which make up the bulk of the litigation of the Provinces, and the petty suits are always more affected by fluctuations than the higher classes of suits. The general decline in litigation last year reduced the proportion of suits for money due on bond or other contract from 80·1 per cent to 77·4 per cent of the total number of suits in the preceding year. The general increase during 1879 carries back the proportion towards the result of 1877. It may also be observed in passing, that the proportion of suits for the recovery of moveable property or its value, which rose last year notwithstanding the general decline, has again risen. The result, however, which depends on a question of classification, will be examined in dealing with the separate district figures.

Distribution of suits under sub-heads.

15. Under the several sub-heads of contract, the returns of the two years are contrasted below.

Sub-heads of suits for money due for breach of contract	1878.		1879.	
	Number of suits.	Percentage of total suits.	Number of suits	Percentage of total suits.
Written obligation	36,721	46 7	39,506	45·1
Unwritten obligation	12,684	16·1	14,944	17 0
Account stated	1,308	1·7	1,593	1 8
Money paid or received	651	·8	768	9
Goods sold and delivered	8,660	11·	9,721	11·1
Breaches of contract not included above .	847	1·1	1,827	2 1
Total ...	60,871	77·4	68,359	78 0

These are the details of the first head in the table above, and only two points seem to require notice. The first is that the proportion of suits on written obligation has fallen off, while the proportion of suits on unwritten obligation has increased. This again is what was to be anticipated. The petty suits on parol agreement were the suits which were affected in a far greater measure than any other class by the causes which last year produced the general decline in litigation ; and the causes, already discussed, which have led to the returning advance of litigation during the present year, were calculated to affect them to a greater extent than suits of other classes. The second point to be noticed is the comparatively large numerical increase in suits under the last head in the table. This is due to a change in classification which will be discussed further on.

16. The statistics of each district for 1878 and 1879 for the main classes of suits are given in the following table :—

Classification of suits under main heads.

Districts (Small Cause Court figures being included.)	Total suits disposed of.	For money due. On written obligation. Number.			Percentage of suits disposed of.			On unwritten obligation. Number.			Percentage of suits disposed of.			For goods sold and delivered. Number.			Percentage of suits disposed of.			For recovery of moveable property or value thereof. Number.			Percentage of suits disposed of.			For damages. Number.			Percentage of suits disposed of.			For immoveable property. Number.			Percentage of suits disposed of.		
		1879	1879	1878	1879	1879	1878	1879	1879	1878	1879	1879	1878	1879	1879	1878	1879	1879	1878	1879	1879	1878	1879	1879	1878	1879	1879	1878	1879	1879	1878	1879	1879	1878	1879	1879	1878
Nagpur ..	21,217	11,249	53·	54·7	3,123	14·7	14·7	3,113	14·7	14·4	1,910	·9·	6·9	356	1·7	1·8	558	2·6	3·5																		
Chanda .	3,173	1,898	59·8	57·8	310	9·7	9·6	265	8·3	8·0	555	11·2	14·1	47	1·4	2·7	48	1·5	1·5																		
Bhandara ..	3,605	1,831	52·2	51·1	587	16·3	12·9	231	6·4	7·6	487	13·5	17·2	100	2·8	3·4	115	3·2	3·6																		
Wardha ..	5,480	2,658	48·5	54·5	933	17·	15·6	512	9·3	4·5	524	9·5	10·5	114	2·1	2·1	162	2·9	4·2																		
Balaghat ...	1,379	494	35·8	33·7	409	29·6	25·5	64	4·6	4·7	261	18·9	26·8	84	6·1	5·5	21	1·5	2·1																		
Jubbulpore ...	5,799	2,313	39·9	35·2	1,109	19·1	19·6	846	14·6	17·1	357	6·1	6·9	158	2·7	3·4	380	6·5	7·1																		
Saugor .	3,505	1,465	41·8	45·7	496	14·1	13·3	325	9·3	9·4	599	17·1	19·1	62	1·8	1·3	237	6·8	4·4																		
Damoh .	1,646	735	44·6	51·0	285	17·3	12·1	149	9·	5·8	223	13·5	18·4	41	2·5	2·1	149	9·	6·6																		
Seoni ..	2,403	899	37·4	32·4	569	23·7	22·7	291	8·4	13·5	471	19·6	22·3	105	4·4	5·3	48	3·	1·7																		
Mandla ..	853	186	21·8	22·5	333	39·	27·6	84	9·8	9·1	93	10·9	20·7	75	8·8	6·7	17	1·9	2·5																		
Hoshangabad ...	8,366	3,379	40·4	42·2	1,374	16·4	16·9	674	8·1	8·4	1,820	21·7	19·5	127	1·5	1·9	378	4·5	5·8																		
Betul .	3,329	1,206	36·2	43·6	847	25·4	21·6	264	7·9	7·0	588	17·6	14·0	121	3·6	4·7	143	4·3	5·2																		
Narsinghpur ..	4,634	2,421	52·2	50·4	542	11·7	12·5	268	5·8	5·6	511	11·	12·5	61	1·3	2·2	458	9·9	11·4																		
Chhindwara ...	3,492	1,856	53·1	56·0	536	15·3	14·7	325	9·3	5·7	408	11·7	11·5	86	2·5	2·3	108	3·1	5·6																		
Nimar ...	7,693	3,999	52·	55·2	1,317	17·	15·5	1,149	14·9	15·6	514	6·7	4·3	96	1·2	1·5	194	2·5	2·4																		
Raipur ..	5,838	1,586	27·2	27·9	1,221	20·9	20·7	758	12·9	14·9	1,320	22·6	18·9	359	6·1	7·7	187	3·2	3·8																		
Sambalpur ...	2,725	835	30·6	36·5	323	11·8	10·8	278	10·2	9·5	379	13·9	18·8	219	8·	6·2	312	11·1	8·8																		
Bilaspur ..	2,540	446	17·6	17·9	630	20·9	21·2	215	8·5	9·4	672	26·4	29·9	220	8·7	8·2	154	6·1	6·9																		
Total ..	87,677	39,506	45·1	46·7	14,944	17·0	16·1	9,721	11·1	11·	11,492	13·1	13·	2,431	2·8	3·	3,669	4·2	4·7																		

Last year it was pointed out that the decrease in proportion of suits on unwritten obligation extended uniformly to every district in the Province, except Chanda. In the present year's figures an increased proportion of suits of this class is shown for every district except Hoshangabad, Narsinghpur and Bilaspur; but the percentage of these suits on the whole is still less than it was in 1877. The litigation of the Provinces reached the highest point yet attained in 1877. In 1878 there was a decrease in actual numbers of 10,000 suits, and more than a third of this total decrease occurred in the class of suits on unwritten obligation. In other words, the chief effect of the continued scarcity which the greater part of the Provinces had undergone was to diminish the numbers of suits in connection with small informal debtor and creditor transactions. During the year under report the litigation has almost returned to the point which it had reached in 1877, and nearly one-fourth of the increase of 9,000 suits as compared with 1878 is under the head of unwritten obligation. But the effects of the seasons through which the people have passed on this class of suits have not yet been altogether removed, and it has already been seen that it is especially in suits not exceeding Rs. 5 in value that the figures of the year fall short of those of 1877.

An important part of the litigation of the Provinces is connected with grain transactions, important especially as affecting the welfare of the agricultural classes. The Deputy Commissioner of Hoshangabad, who has given special statistics with regard to litigation of this character in his district, shows that out of 1,926 such suits disposed of during the year, about 1,130 were instituted against agriculturists and 357 against malguzars. The greater part of these transactions are on what have been termed "grain bonds," that is, on bonds for the repayment of grain borrowed with interest in kind, or for the payment of a grain debt in kind by certain fixed instalments, carrying interest in kind if not paid, or for the delivery of grain or other produce at a certain stipulated price which has been received in advance.

The Officiating Judicial Commissioner found it necessary to issue special instructions during the year as to the action of the Courts in dealing with suits on bonds of this nature, in order to prevent inequitable and unjust decrees being passed; and subsidiary to these instructions an alteration in the classification of these suits was introduced. In the Circular orders of this Court it was said:—

"The Courts frequently give decrees for delivery of the grain or its value in the alternative. Sometimes they give decrees for grain only. When an alternative decree is given, the value is calculated sometimes at the rates prevailing at the date of the institution of the suit, sometimes at the rates holding at the time of the decree; and sometimes delivery is ordered at the next ensuing harvest with the alternative of payment at the rates of that harvest. Grain debts customarily carry interest at 25 per cent. Considering that the loan is usually contracted about sowing time when grain is dearest, and repayment is stipulated for at harvest when it is cheapest, this interest is not excessive, as will be apparent if the values are expressed in money terms.

"If, however, the plantiff is allowed to let the interest accumulate and exact repayment at the dearest period of the year, the transaction becomes usurious.

"It seems necessary to point out that all suits on bonds of this kind should be treated as suits for compensation for loss or damage caused by breach of contract. The obligor binds himself to deliver a certain amount of grain on a certain date. Under the provisions of Section 21 (*a*) Act I of 1877 (Specific Relief) it is not legal to give decrees for the specific performance of such contracts. The decree should be for money. The calculation should be made at the rates ruling on the date fixed for delivery. The law is contained in Sections 73 and 74 of the Contract Act, IX of 1872. The provisions of those sections if followed will generally ensure an equitable decree.

"If penal rates are entered in the bond to be recovered in case of failure, the Court should use the discretion given by Section 74. The case is not altered by the statement of the penalty in the form of rates, instead of in a lump sum. Reasonable compensation *not exceeding* the amount calculated at the rates named should be given."

Several instances are given in the reports of usurious transactions of this nature which were enforced by Courts without sufficient consideration. In the future it is to be hoped that this will no longer be possible. The result, however,

of the instructions has been to cause an increase in the number of suits shown under the head of 'Breaches of Contract not included in the above.' But as the districts have not classified the suits correctly between this head and the heading 'Suits for moveable property or its value,' it is impossible to speak with any certainty as to the results under those two headings.

In future years the actual number of grain transactions will be ascertained under the appropriate heading now fixed, and examination of the cases connected with these grain transactions by supervising Courts has been especially insisted upon.

The proportion of suits for immoveable property has fallen since last year, and now stands exactly the same as it was in 1877. The tendency in this class of suits has been towards an increase, but results differ a good deal from district to district. The highest proportion is shown by Sambalpur, Narsinghpur and Damoh. With regard to the first named district adequate local reasons for the highest proportion in the Provinces have been assigned. The Sambalpur Settlement has lately been completed and the formal declaration of rights in the soil has been followed by increased litigation.

The Deputy Commissioner explains this as follows :—

" It will be observed that a steady increase has for the last few years taken place in suits relating to land. I give the figures in the margin. Most of these suits are the result of the Settlement having been made without a survey, and generally the questions for decision is whether the land in dispute belongs to a field of one name or to that of another, or to which of two villages."

1875 ...	60
1876 ...	101
1877 ..	135
1878 ..	149
1879 ...	312

The Commissioner of the Chhattisgarh Division has the following remarks on the subject :—

" Rights in land formed a prolific source of litigation, and suits regarding them increased in Raipur and Sambulpur. The cause general to the division is of course that those rights have everywhere become more valuable, but there are also special reasons for the increase. In Raipur and Bilaspur antagonism is growing between the landlords and their ryots and gaontias, because many of the former, acting upon the advice of foreign muktars and patwaris are taking or attempting to take from the latter rights which have hitherto been held assured by the immemorial custom of the country. In Sambalpur on the other hand suits for immoveable property have increased, but they were suits between one ryot and another to decide the right to land erroneously or doubtfully described in the Settlement papers, which papers it will be recollected were prepared by estimate and not by actual measurement."

No satisfactory explanation of the large number of cases connected with immoveable property in the Narsinghpur district has been given, and it is not apparent why the litigation should have been during the last few years numerically more important than in the contiguous district of Hoshangabad. A general increase in suits of this class is shown for the districts of the Jubbulpore Division, and the Additional Commissioner attributes it to the increasing value of land ; but the main increase was at Saugor, where, notwithstanding a decline in litigation, the number of suits for immoveable property rose from 187 to 237. Probably an analysis of the cases would have supplied some simple explanation of this result At Nagpur, on the other hand, suits of this class have fallen from 715 to 558, although the total number of suits has materially increased. The subject has not been referred to in the reports, but it was said last year that much of the Nagpur litigation under this head referred to cases in which house property was mortgaged as security for small loans, and variations may be difficult to account for.

Generally it may be said that no safe conclusions as to the land litigation of the Provinces can be based upon these statistics ; but it may be fairly inferred that the amount of this litigation is still comparatively small, as the total proportion of suits affecting immoveable property of every kind is only 4·2 per cent of the year's work.

12 3 80 2 195 260

IV.—Description and Value (together) of Suits.

17. The table below shows the relative value of suits of the principal description.

Relative value of the principal description of suits

Description of suits.	Number.	Percentage of					
		Suits not exceeding				Suits above	Total.
		Rs. 5.	Rs. 20.	Rs. 100.	Rs. 500.	Rs. 500.	
Written obligation ...	39,506	3·9	34·7	50·5	9·7	1·2	100.
Unwritten obligation ...	14,944	27·8	43·6	23·7	4 2	·7	100.
Goods sold and delievered ..	9,721	41·4	40·3	16·1	2·0	·2	100.
Moveable property or value thereof.	11,492	15·3	37·7	36·3	9·1	1·6	100.
Damages ..	2,431	13·4	31·5	40·9	11 4	2 8	100.
Immoveable property ..	3,669	11·	21·2	37·7	22·1	8·	100.

It will be noticed, with reference to what has already been said, that the proportion of suits on unwritten obligation not exceeding Rs. 5 in value is less than in 1878, when the proportion of suits of that value to the entire disposals was 28·5. Nearly 70 per cent of the litigation affecting immoveable property was under Rs. 100 in value.

C.—General Distribution and Result of Trial of Civil Suits by Courts of Original Jurisdiction (B 8 and 11.)

I.—Distribution.

18. The following table shows how suits disposed of were distributed among the different classes of Courts in the several districts.

Distribution of suits disposed of among different classes of Courts.

Total number of Judges.		5	30	51	36	18	4	147
Districts.		Small Cause Courts.	Naib Tahsildars.	Tahsildars.	Assistant Commissioners.	Deputy Commissioners.	Commissioners.	Total.
Nagpur ...		10,778	4,449	4,488	1,496	6	...	21,217
Chanda ..		...	1,012	1,511	642	8	...	3,173
Bhandara ...		...	1,864	735	998	8	...	3,605
Wardha ...		...	3,275	1,744	457	4	...	5,480
Balaghat ...		...	...	1,122	241	16	...	1,379
Jubbulpore ...		3,144	1,197	978	474	6	...	5,799
Saugor ...		191	1,826	929	546	13	...	3,505
Damoh ...		...	47	1,065	527	7	...	1,646
Seoni ...		..	480	1,705	204	14	...	2,403
Mandla ...		...	...	640	206	7	...	853
Hoshangabad ..		...	4,802	2,540	1,019	5	...	8,366
Betul ...		...	1,956	1,080	272	21	...	3,329
Narsinghpur ...		...	941	2,824	854	15	...	4,634
Chhindwara ...		...	2,270	681	526	15	...	3,492
Nimar ...		69	3,700	2,565	1,343	16	...	7,693
Raipur ...		...	3,118	2,019	692	9	...	5,838
Sambalpur ...		...	877	1,437	376	35	...	2,725
Bilaspur ...		...	602	1,724	210	4	...	2,540
Total ...	1879	14,182	32,416	29,787	11,083	209	3	87,680
	1878	14,967	24,834	26,142	12,478	165	5	78,591
Percentage ...	1879	16·2	37·	34·	12·6	·2	...	100·
	1878	19·1	31·6	33·3	15·8	·2	...	100·
	1877	15·4	32·4	35·2	16·5	·5	...	100·
	1876	15·1	28·3	36·7	19 5	·4	...	100·

The proportion of the work of the year disposed of by the Courts of Small Causes and the Courts of Assistant Commissioners is less than last year, while the proportion disposed of by Tahsildars and Naib Tahsildars is greater.

The percentage of work done by the Small Cause Courts in 1878 was disproportionately high. The institutions in every other class of Court had decreased, while in the Small Cause Courts there was an absolute increase. The conditions have now been reversed. A general increase in the litigation has taken place which has not extended to the Nagpur Small Cause Courts, which show an absolute decrease on the figures of last year. The smaller share of civil work which has fallen to the Courts of Assistant Commissioners is chiefly due to fresh arrangements in two or three districts. In Wardha there has been no Assistant Commissioner's Court at Hinganghat, and at Balaghat the number of cases disposed of by this class of Court has been 241 only, whereas in 1878 it was 967.

Year by year the Naib Tahsildars dispose of an increasing portion of the litigation of the Provinces, and the percentage of cases disposed of by their agency to the total number of the disposals is now 37.

Tahsildars' Courts disposed of a higher percentage of cases than last year, but this is due to the fact that the judicial Tahsildar's Court at Saoner was open throughout the year, while in 1878 it was only open for six months.

Disposal of suits by the various classes of Judges according to value.

19. The following table shows the proportion in which suits of the several grades of value were disposed of by the various classes of Judges.

Judge.		Registrars of Courts of Small Causes.	Judges of Courts of Small Causes.	Naib Tahsildars.	Tahsildars.	Assistant Commissioners.	Deputy Commissioners.	Total.	Remarks.
Number of Judges.		2	6	30	31	36	18	143	
Salary of Judges.		Rupees 100 and 20.	*Rupees 700 to 1,000.	Rupees 50 to 70.	Rupees 100 to 200.	Rupees 400 to 800.	From Rs. 366 to Rs. 1,333	)	
Grades of value of Suits.	Total number of suits disposed of.	Percentage of Suits disposed of before each class of Judge.							
Not exceeding Rupees 5	12,902	17·5	4 1	51·	23 4	4·	.	100·	* Includes the Judge, Asirgarh Cantonment, who receives a Staff allowance of Rs. 200.
,, ,, 20	31,852	12 7	4	51·4	26 8	4·7	·4	100·	
,, ,, 50	23,670	...	15 5	40	365	8	...	100	
,, ,, 100	10,112	..	13·	...	65·4	21 4	·2	100·	
,, ,, 300	6,721		12·	...	44 8	43	·2	100·	
,, ,, 500	1,123	...	12 3	..	...	87·5	·2	100	
,, ,, 1,000	786	...	11 2	...	...	88·	·8	100·	
,, ,, 5,000	447	...	...	...	...	80 3	19 7	100	
,, ,, 10,000	37	...	...	...	. .	18 9	81·1	100·	
,, ,, 1,00,000	27		.	...	...	14·8	85·2	100·	
Exceeding ,, 1,00,000	...	...	. .	...	...	.	.	100	
All Grades ...	87,677	7·2	9	36 9	34·	12 6	·3	100·	

Results of Trial.

Results of trial of suits disposed of

20. The general results of the trial of suits disposed of were as under.

	Number of suits.	Proportion per cent.	Corresponding proportion in 1878.
Plaints rejected or returned	510	·6	·6
Transferred to other District or Small Cause Court jurisdiction..	1	...	...
Without contest.			
Dismissed for default	17,502	20·	19·4
Withdrawn with leave	1,726	1·9	1·1
Compromised	9,813	11·2	12·5
Decreed on confession	21,469	24·5	25·4
Decreed *ex parte*	12,438	14·1	12·3
Dismissed *ex parte*	607	·7	·7
Total Uncontested ..	63,555	72 4	71·4
Contested and judgment given for			
Plaintiff in whole	9,939	11·3	12·
Ditto in part	7,376	8·5	8 3
Defendant in whole	6,306	7·1	7·7
Total Contested ..	23,611	26·9	28·

The decrees on confessions are relatively fewer than they were last year, but dismissals for default and decrees *ex parte* have been more numerons than during either of the two previous years. In dealing with these results allowance must be made for imperfect compilation, but in several districts the statistics have been put to their proper use as showing where an examination of cases was required. The results under each head for the different districts will be found in Additional Statement No. II. appended to the report, and will be referred to further on.

Comparison for 1878 79 of contested suits in the several districts.

21. The following table shows the proportions of contested suits in the several districts of the Central Provinces with details of the manner of disposal for 1878 and 1879.

Districts.	Percentage of total cases disposed of.							
	For plaintiff in whole		For plaintiff in part		For defendant in whole.		Total.	
	1878	1879	1878	1879	1878	1879	1878	1879
Nagpur ..	12·6	12 7	6·4	7·6	5·6	5·2	24 6	25·5
Chanda ...	11·7	13 4	8·3	8 1	4·8	5 0	24·8	26·5
Bhandara ...	10 8	8 4	8·9	9 2	6 2	5 2	25·9	22·8
Wardha ...	11 5	10·8	8·9	11·5	7·4	6·8	27·8	29·1
Balaghat ...	13·5	7	8·8	5 5	8·6	9 0	30·9	21·5
Jubbulpore ...	13·6	11·7	10·0	8·8	11·7	9 6	35·3	30·1
Saugor ...	13·3	12 9	7·3	7·3	5·3	7·0	25·9	27·2
Damoh ...	9·0	12·1	10·1	11 7	7 3	7 7	26·4	31·5
Seoni ...	11·5	10·1	9·5	10·0	8 6	6 4	29·6	26·5
Mandla ...	10·5	6 7	7 6	6·9	10·2	9 0	28·3	22·6
Hoshangabad ...	13·0	12·3	6·3	5·9	7·5	7 3	26·8	25·5
Betul ...	12·1	9·9	7·0	8·2	8·6	6·6	27·7	24·7
Narsinghpur ..	16·1	14·4	9·6	8·0	13·7	10·5	39·4	32·9
Chhindwara ...	9·8	8·3	5 9	5 8	7 9	6 6	23·6	20 7
Nimar ...	10·3	11·3	8·2	8·4	6·4	6·4	24·9	26·1
Raipur ..	9·0	8·5	13·4	9·9	8·4	10·0	30·8	28·4
Sambalpur ...	11·4	11·8	8·5	11·7	8·4	12 2	28·3	35·7
Bilaspur .	10·3	7·6	14 5	11·7	15·2	10·9	40·0	30 2

The percentage of contested cases has fallen from 28· to 26·9, and is now lower than it has been in any previous year. Fewest cases in proportion were contested in Bhandara, Mandla, Balaghat and Chhindwara. At Balaghat the proportion fell from 30·9 in 1878 to 21·5, but the litigation of the district was less by a thousand suits, and the action of the Deputy Commissioner in regard to professional mukhtárs, if it had the effect attributed to it, must also have lessened the number of contested suits. This is pointed out by the Nagpur Commissioner.

The highest proportion of contested suits was in Sambalpur, and the figures given in the margin show that the percentage has been steadily rising of late years. Probably this is due in a great measure to the contemporaneous increase in litigation respecting land which has already been noticed. At Bilaspur the percentage has fallen from 40·, the highest proportion last year, to 30·2, but no reason for the change has been assigned. This percentage, however, is still one of the highest for the present year, and the same thing is true of the results shown by Narsinghpur and Jubbulpore.

1877 ...	24 8
1878 ...	28 3
1879 ...	35 7

The general result is in accordance with the change in the litigation of the year as contrasted with 1878. The increase has been in suits of the lower values, in institutions in the Courts of Naib Tahsildars, and a decrease in the proportion of contested suits was therefore to be anticipated.

It should be remembered that although the figures under this head may serve as a guide to general results, they cannot be used with any safety for the purpose of instituting comparisons between different Courts. It is pointed out by the Deputy Commissioner of Wardha that whether a suit is returned as contested or uncontested depends to a certain extent on the character of the Judge's procedure. One Judge will direct his endeavours, when the parties appear before him, to ascertaining whether they cannot be brought together, and whether the real point in dispute cannot be arranged at once without further delay; whereas another will be satisfied with recording the statements made and will proceed to strike formal issues to be litigated.

Dismissals for default.

22. Of the districts referred to last year Damoh, Jubbulpore and Betul show an improvement; but at Bilaspur the percentage of cases dismissed for default is the highest in the Provinces, and the Commissioner of the Chhattisgarh Division thinks that the subject has not received sufficient attention during the year. Raipur, Balaghat and Mandla also show badly in this respect; and in Raipur it was found necessary to punish a Tahsildar for dismissing suits in default improperly.

It was said in last year's report that defective procedure was largely responsible for the high proportion of suits dismissed in default, and that supervising officers had the power to remedy this. Enquiries made during the present year have proved that the procedure of some subordinate Courts has been even more blameable than it was supposed. It was found that some Tahsildars have been in the habit of taking up cases on tour, away from their Tahsil head-quarters, and of dismissing them for default without having given any. intimation to the parties of the place of hearing; and that especially on the occasions of transfer of officers suits originally fixed for hearing without forethought, have been allowed to remain pending for days without orders, and have been finally dismissed for default without enquiry. In commenting upon these irregularities the Judicial Commissioner said:—

> "Procedure of this character is something more than carelessness. It evinces a wanton disregard of the public convenience and a culpable indifference to the interests of justice."

Instructions have lately been issued requiring that when a suit is dismissed for default the hour at which the order of dismissal is passed shall be noted in the proceedings, and that if the suit is called on for hearing at any place away from head-quarters, it shall be distinctly recorded whether such place was appointed in the summons or notice as the place of hearing. It has also been pointed out that the Deputy Commissioner of each district is responsible that on occasions of transfers and of Tahsildars leaving their head-quarters, proper arrangements for the public convenience shall be made, and that defective arrangements

in this respect shall not result in the dismissal of suits. Some of the reports show that the irregular attendance of Judges, the absence of fixed Court hours, and the want of method in taking up cases are responsible for many of the dismissals in default. But thorough supervision will remove these causes. It may be added that a comparison of the number of re-institutions with the number of dismissals for default may often serve as a test of a Court's procedure, and show where examination of cases is required. The Additional Commissioner has instituted a comparison of this kind in dealing with the returns of the Jubbulpore Division, and shows that in Damoh, for instance, the percentage of re-institutions was 15·1 as compared with 19 3, the percentage of dismissals for default. *Primâ facie* it would appear from these figures that dismissals must have been improper In many cases suits, which have been the subject of private settlement out of Court, are allowed to go by default, but where re-institutions are numerous, this explanation will not hold good. But it does not necessarily follow that the absence of re-institutions is a proof of correct procedure. Experience has shown that in many cases where suits have been dismissed improperly, suitors have preferred to make arrangements out of Court to the trouble of going again to the Court with the possibility of having to remain in attendance for several days.

Decrees on confession.

23. The proportion of decrees on confession is lower than it has been during the previous two years, and in some districts care has been taken to ensure that the confession of judgment shall be an intelligent confession, and not a mere ignorant acquiescence in a claim which is not fully understood. But that there is still room for improvement in this respect may be gathered from the remarks in several of the reports. The highest percentage was at Chhindwara, and the Deputy Commissioner says:—

> "An examination of some of the cases shows that admissions and confessions are not recorded as explicitly as they should be. This remark applies chiefly to the Courts of Naib Tahsildars. Unless closely watched the present officers of this class are liable to be rather hasty in this respect."

The Deputy Commissioner of Saugor writes:—

> "As a rule the people sued have no wish to avoid payment of a just debt; they are brought into Court and told that according to their creditors' books Rs. 100 are due by them. They are utterly ignorant of accounts and have no one to advise them, so, they say "whatever is in the books must be right."

The Deputy Commissioner of Narsinghpur speaks of having had appeals from decrees on confession, and it is obvious that this anomaly can only be accounted for by the fact that the Courts which passed the decrees, had accepted as confession of judgment what had never been intended as an actual and complete admission that the amount claimed was due. Confessions were most numerous in Chanda and Nimar, Seoni and Bhandara. The same result has been noticed as regards Chanda and Nimar for several years. In both districts the percentage has fallen since last year, but no very adequate attempt has been made to explain why so many of the suitors should attend Court merely to admit their liability. The Deputy Commissioner of Nimar thinks that the prospect of obtaining a decree by instalments may in many cases have been a sufficient inducement to make a debtor attend, and the relative decrease in the proportion of confessions corresponds with a decrease in instalment decrees.

Suits decreed *ex parte*.

24. The proportion of cases decreed *ex parte* is still highest at Hoshangabad, and has risen since last year. It is also high at Wardha and Nagpur. At Hoshangabad the subject attracted attention during the year, and it was ascertained by examination of cases that the procedure in the Court of one of the Naib Tahsildars was extremely faulty, the question whether service reported was really good service having never been considered, and the required verification having been dispensed with. The Deputy Commissioner of Wardha has also shown that the procedure was defective in the Court of that district which had the highest proportion of decrees *ex parte*. In cases in which service had been effected by affixing the summons to the dwelling house of the defendant, the Judge, although formally recording the evidence of the process server, had entirely omitted to ascertain whether there was reasonable ground for believing that the information would reach the defendant in sufficient time to

allow of his attendance at Court on the date fixed for hearing. The Commissioner of the Nagpur Division refers to the Deputy Commissioner's remarks as follows:—

"On the subject of *ex parte* decisions the Deputy Commissioner, Wardha, has also some good remarks, in which I entirely concur. The Judges should ascertain by examining the process servers, and considering the time when the process was served, whether a defendant had really due notice of the suit, by the summons having been served on him personally, or being so served, that he must have had knowledge of it almost at once; and secondly, that the defendant was informed of the date fixed for hearing in sufficient time to enable him to attend the Court on the day fixed. If the Judge is not satisfied on these points, he ought to adjourn the case. I am afraid this is a matter to which the subordinate Judges do not pay sufficient attention.

"The Deputy Commissioner, Chanda, has also some observations on this matter of *ex parte* decrees. He says the Courts do not take the evidence of serving officers as the law requires, and that in Chanda the distances being very great processes are often sent by post to Tahsil Courts to be served from there, and the servers never come to the Courts which issued the summonses, and cannot therefore be examined. In such cases the server should be required to make an affidavit before the Judge of the Court who caused the process to be served, and the affidavit should be sent to the Court which issued the process."

It is only necessary for the Judicial Commissioner to add that the percentage of disposals *ex parte* is generally very high in comparison with the results obtained in some other Provinces. Nineteen per cent of the total disposals of the year were *ex parte*, but in the Punjab only nine per cent of the disposals of 1879 were *ex parte*. And as whenever scrutiny is applied defects of procedure come to light, the conclusion is irresistible that supervision only is necessary for the obtaining of better results. The percentage of applications for re-hearing should be examined side by side with the return under this head. The Deputy Commissioners show by the remarks made in their reports that for the most part they understand the faulty procedure which is indicated by the statistics. It is probable that they will now begin to use their knowledge, and by a scrutiny of the returns during the year—not at the end of it—force the subordinate Courts to amend their ways.

Suits compromised and withdrawn with leave.

25 The porportion of suits compromised and withdrawn with leave is nearly the same as last year; but the districts of the Nagpur Division have classified the suits between these two heads on a principle which has not been accepted by the rest of the Provinces. With reference to Section 375, Code of Civil Procedure, the term "compromised" has been limited to suits in which a decree is passed enforcing the compromise. Instructions will now be issued to make the procedure uniform. No useful conclusions can be drawn from the statistics under this head, as a large number of cases amicably adjusted are allowed to go by default.

Suits in *formâ pauperis*.

26 The number of suits in *formâ pauperis* has again fallen off, notwithstanding the large increase in litigation, and the pressure of hard times to which the greater part of the Provinces has been subjected. The total number was only 25.

Commissions issued for local investigation.

27 The total number of commissions issued for local investigations was 793 as compared with 565 in 1878, and 659 in 1877, when it will be remembered the litigation was in excess of the returns of the present year. The increase occurred chiefly in three districts. At Narsinghpur the number have risen from 58 to 83, at Raipur from 54 to 149, and at Sambalpur from 6 to 87. These are the districts in which litigation affecting land was largest, and this is the reason assigned by the Deputy Commissioners of the two last named districts for the increase in the number of local enquiries. As regards Raipur the Commissioner of the Chhattisgarh Division says:—

"That some Judges resort much more than others to this mode of obtaining evidence, is shown by the fact that of the 149 commissions issued during the year in the Raipur district 115 were issued by one Court."

But it should have been added that this particular Court disposed of all the land dispute cases. A large number of the suits in which these commissions

issued were examined by the Deputy Commissioner in connection with the quarterly returns submitted to this Court; and he reported that, although in some cases the Judge might have made the local investigation himself, the necessity for a local enquiry could not be questioned. The Deputy Commissioner of Sambalpur writes as follows :—

> "In nearly all the cases in which this mode of enquiry was had recourse to land was concerned, and it is of the highest importance that when a decree is given in which the right to possession, or use of land is concerned, there should be no doubt as to its identity. For some years past, the Courts have been satisfied with a description of the land by the name and number in the *khasra*; but experience has shown that this is not sufficient, for when the decree comes to be executed, a dispute immediately arises as to the boundaries of the field regarding which the decree has been given. More than one suit has during the past year been filed, in which it has been alleged that the defendant under cover of a decree had taken land to which the decree did not extend; and thus practically the whole case had to be tried over again. Further, in petty boundary disputes evidence can be much better recorded on the spot than in Court; for, in the latter place, the Judge cannot make sure that the witnesses are speaking of the identical strip of land regarding which the parties are at feud, and if his evidence be partially in favour of each side, it is difficult for him to describe exactly how the line should run across the land in dispute. It is therefore essential that in cases of this kind, a commissioner should be deputed to make a plan and record evidence on the spot."

The importance of selecting suitable persons to execute these commissions, especially where rights in land are concerned, has been recognized by the Deputy Commissioners of both these districts; but greater care on the part of the Courts both in appointing commissioners and in accepting their reports is clearly required. There are no Civil Amins in these Provinces, and it is understood that in some districts there has been allowed to grow up a class of volunteer commissioners, men of no antecedents and uncertain character, who haunt the Courts and look to work of this kind as a means of obtaining a livelihood In one instance the Judicial Commissioner had to point out that a petition-writer was not fitted to act as a Civil Court commissioner. It is obvious that a commissioner should be a man of respectability and of some position. He is called upon to perform duties which require the exercise of authority, and frequently of tact. He has to record evidence, to bring the parties together, and to hear impartially what is to be said on both sides. In some cases he is able to do good service by promoting a compromise, and so far discharges the office of a conciliator. The Courts should, therefore, remember that in appointing unsuitable persons they are bringing their own authority into discredit. In most districts there are persons of good status and character, such as the "hereditary zamindars, maafidars and political pensioners" spoken of by the Deputy Commissioner of Nimar, who are willing to undertake commissions; and the Judicial Commissioner has now issued distinct instructions as to the appointment and remuneration of commissioners. It is also essential that the directions given to commissioners should be simple and precise. This is a point which is continually overlooked, and in some cases which have been before the Officiating Judicial Commissioner he has found that commissions are issued as a last resource to relieve the Judge of troublesome enquiries and without laying down the issues for enquiry as the law directs. It has also been observed that the issue of commissions is one of the most fruitful sources of unnecessary delay in disposing of cases. Commissioners are appointed without thought, and are left to enter on their work without sufficient instructions, and the result is objections on the part of the parties, imperfect reports, delay and ill-feeling, all of which might be averted by the exercise of proper care in the first instance.

Commissions issued to examine accounts.

28. The number of these commissions is rather smaller than last year. In Wardha 72 were issued, though in no other district, except Nagpur, were there as many as 50. The Commissioner of the Nagpur Division thinks that in many cases the Court might have taken evidence or adjusted the accounts itself, and the Commissioner of the Chhattisgarh Division expresses a similar opinion. It must be remembered, however, that accounts are frequently in a language which the Court cannot understand. The money-lender of these Provinces is

the Marwari, and the difficulty even to Marwaris of deciphering Marwari accounts is notorious. The selection of a commissioner must in most cases be limited for this very reason. But by far the majority of the Judges in the Courts of first instance are natives of this country, to whom the examination of a banker's books should be no impossible task. In simple accounts, especially where agricultural debts are concerned, the Courts should make a point of examining the books themselves. Otherwise they lose knowledge which it is most important that they should possess, and may fail to detect the real nature of the transaction which a personal examination of the accounts might have revealed.

Cases referred to arbitrators for decision.

29. The number of cases referred to arbitration is again highest in Jubbulpore and Saugor, but the subject is not mentioned in the reports. The references to arbitration in the Nagpur district have decreased from 122 to 76, and this is due to a change in the Judge of the Kamptee Small Cause Court. With the exception of these three districts resort to arbitration has not been common. The entire number of references was 393 only. In several instances the Officiating Judicial Commissioner has noticed that cases have been referred to arbitration after protracted litigation only to come back to the referring Court for decision. In such cases arbitration must almost necessarily be ineffectual, and the action of the Courts would appear to have been due to a desire to get rid of the responsibility of deciding on conflicting evidence. It must be understood that no objection is taken to the use of arbitration, but to its abuse. If suitable arbitrators are appointed, the issues clearly laid down, and the arbitration consented to at the beginning or at an early stage of the case, no better way of closing litigation can be found.

Decisions on oath of parties.

30. There were 745 cases decided on special oath taken by the parties, as compared with 700 last year. Nimar again shows the largest number of these decisions, and Narsinghpur and Wardha come next. At Nagpur the numbers have fallen from 152 to 122, the decrease being in the Small Cause Courts, in which the majority of the special oath were administered.

As regards Nimar the Deputy Commissioner is unable to offer any satisfactory explanation, but the practice of proposing special oaths there may probably be a survival from the time when every encouragement was given by the political officers to the disposal of all litigation by panchayats according to tests and methods acceptable to the people. The panchayat system had become discredited before Nimar became part of the Central Provinces, but the practice of proposing the tests which the people consider binding may have survived to some extent.

The Deputy Commissioner of Narsinghpur says :—

> " Seventy-five suits were decided on the oath of a party or witness as compared with 62 last year. Gadarwara supplied the most of these suits, and from statements made in appeal it can be seen that the procedure commends itself to the popular mind. Doubtless the fact of the Nerbudda running through the district and its reputed sanctity has something to do with the custom, as the people usually appear to call upon an opponent to swear by the river."

It is intelligible enough that the sacred stream should suggest the form of asseveration, but it is not clear how the custom of proposing a special oath is connected with its flowing through the district. In fact it is believed the same form of oath is common in places away from the stream. The Commissioner of Chhattisgarh Division says with regard to the cases shown for the districts of that division : " Here too the wishes of the Judge have much to say to the adoption " of this mode of decision, and in the Raipur district 19 cases out of 31 belonged " to the Court of the Naib Tahsildar of Raipur, in the Sambalpur district, 24 cases " out of 31 to the Court of the Sambalpur Tahsildar, and in the Bilaspur district " 14 cases out of 22 to the Court of the Tahsildar of Mungeli. The Deputy " Commissioner of Sambalpur remarks :—' There can be no doubt that this is " often a satisfactory way of getting at the truth, for I have known several " instances in which persons who in Court are willing to state on solemn affirm-

" ation anything which might suit their convenience, and who, on the spur of the " moment accepted the challenge to repeat what they had said on oath in the " temple, decline to do so when it came to taking the oath,' This may be so, " but I venture to think that if the oath was often resorted to in trivial disputes, " it would eventually lose its solemnity and consequently its binding effect." '

No conceivable sanction would retain its force if in daily use in a Civil Court, but there is no question of the general adoption of such forms of asseveration, and when the parties are willing to submit to the test of a special oath, there is every reason for taking advantage of the provisions of the Oaths Act. It should be remembered that Native Judges are able to propose the oath with very much greater prospect of its being accepted than European Judges.

Payment by instalments.

31. The number of decrees by instalments is rather smaller than last year. This is chiefly due to a decrease of 301 such decrees in Nimar, where during 1878 they had been granted indiscriminately. The number, however, is still larger than in Nagpur, and out of all proportion in excess of the returns of every other district. There were 943 instalment decrees passed in Nimar with 7,693 suits disposed of, 504 in Jubbulpore with 5,799 suits, 497 in Hoshangabad with 8,366 suits, and 366 in Seoni with 3,492 suits. In Nagpur there were 892 decrees by instalments out of 21,217 decrees passed. The subject has been specially referred to in examining the Nimar returns during the year, but the district report has omitted to show whether, even after the present reduction in numbers, a proper discretion is exercised by the Nimar Courts, and the report of the Additional Commissioner has not yet been received from the Commissioner of the Nerbudda Division. The Deputy Commissioner of Chhindwara says that decrees have been too many, but have generally been acquiesced in by creditors. In Seoni it would appear that the Tahsildar of Laknadon, who decreed payment by instalments in nearly a third of the cases in which plaintiffs were successful, did not exercise proper discretion. The explanation given is that the suits were on grain bonds, and that there had been great scarcity in the tahsil ; and the only remark on the subject in the Hoshangabad report is to the same effect that instalments are " especially necessary in cases of grain transactions of a usurious nature." But it is in this class of case that discrimination and care are pre-eminently required. In a number of the Seoni cases which were called for by this Court, it was found that payment in kind was ordered at the next harvest, a doubtful benefit to the debtor. It has been recently pointed out to the Courts that money decrees only can be passed in such cases. In Nagpur the instalment decrees have been most frequently passed by the Small Cause Courts. The Commissioner points out that in Wardha half the decrees of this nature were given by two Naib-Tahsildars, in the proportion of one in eight and one in ten of the total number of decrees passed by them ; and he thinks that instalments were probably improper in some of these cases looking to the small value of the suits instituted in the Courts of these officers. At Balaghat, on the other hand, the number of decrees by instalments has decreased to 13.

In Sambalpur these decrees have been much more common than in 1878, but the Deputy Commissioner says that they have been quietly accepted by the plaintiffs, and that he only found it necessary to order immediate payment in two appeals. The Commissioner shows that as regards the Chhattisgarh Division generally the decrees by instalments were chiefly passed at head-quarters, and considers that the absence of any large number of appeals may fairly be taken as a proof that the decree holders did not consider the action of the Courts unfair to them. But there is no reason to believe that instalment decrees were excessive in that division. The matter depends so entirely on the discretion of the Judge, that it is hopeless to expect any approach to uniform action.

Durations.

32. Durations again are higher. The average number of days required for the disposal of every contested suit has been 34·3 days, and for every uncontested suit 23 days. The highest duration is shown by Sambalpur, 51·2 days for contested suits, and 34·3 for uncon

tested. This was due to special causes. The Commissioner says:—"The prevalence of cholera justified a higher average than ordinary all over the division, and in the Sambalpur district the work was heavier at times than the Courts could get through." On this point Major Scott writes:—'The chief cause of the long duration is that the Courts could not go through the work as fast as it came in. Only a certain number of cases could be set down for hearing on each day, and when they came in in greater numbers daily, as a matter of course the time between the date of the institution and the date of first hearing became longer, and for the same reason when it became necessary to postpone a case, a longer period elapsed between the first and the adjourned hearing.'" At Raipur the process serving establishment at one tahsil proved too weak to cope with the increasing work, and this caused unavoidable delay in many cases, but additional servers were appointed during the last quarter of the year. After Sambalpur the highest durations of the year were at Wardha and Balaghat. The average number of days for contested suits was 42·9 in the first named district, and 41·2 in the second; for uncontested suits 26·6 and 27·1. In no other district were durations anything like as high as these. In Wardha with the increased duration there was a slight improvement in the average number of hearings, and the Commissioner thinks that this may be accepted as evidence of the truth of the Deputy Commissioner's explanation that the longer average duration was owing to an endeavour to give time to parties and witnesses summoned to attend the Courts. The Officiating Judicial Commissioner is aware that the supervision of the Wardha Courts has been careful and unremitting, and he does not lay too much stress on the figure of average duration; for a good district average may result from the speedy disposal of a number of easy suits, and may co-exist with much unnecessarily protracted litigation. But he cannot altogether agree in the optimist views of the Commissioner of the Nagpur Division, who looks upon the Wardha results as better than last year, notwithstanding the increase in duration from 29·5 to 42·9 in contested suits, and from 23·4 to 26·6 in uncontested. When a district like Hoshangabad, with heavier Civil work than Wardha, shows an average duration of only 32·2 days for contested and 22·2 for uncontested suits, it would be more satisfactory to learn why the duration in Wardha should stand at the present figure, the highest in the Provinces, except in Sambalpur, where there have been special causes to account for an altogether abnormal average. In Hoshangabad to careful supervision is attributed an improvement in the average durations as well as in the number of hearings. There may be reasons why the duration in Wardha is necessarily long. The character of the litigation as shown by the statistics does not account for it.

The duration in the Small Cause Courts stands higher than in former years, and this is no doubt to be attributed to the enlarged jurisdiction of the Courts, which must render the returns of processes less rapid. The duration in the Jubbulpore Small Cause Court was 43·1 days for contested suits and 42·9 for uncontested. On this the Commissioner rightly remarks:—"Small Cause Courts were instituted with the object of effecting the rapid disposal of petty suits, yet here we find a Small Cause Court with a much higher average duration than the neighbouring District Courts." The Cantonment Magistrate has acted as Judge during the year, and it was found impossible for him to dispose of the increasing work in the Small Cause Court with any approach to due rapidity. A separate Judge has now been appointed.

The average duration in the Courts of these Provinces is still very much less than in the North-Western Provinces or Oudh, but many of the causes which underlie the present durations are preventible. Explanations of delay, showing the date of each adjournment, are now required by the practice of this Court in all cases which remain pending for more than two months; and the examination of these month after month shows that faulty procedure and protracted durations are almost always connected in the relation of cause and effect. The necessity of granting sufficient time for the service of processes in the first instance is far from being adequately realised, and many Courts have yet to learn that what is reasonable time in each particular case must depend not only on the distance from the Court of the residence of the defendant or witnesses,

but also on the amount of work to be done by the process serving establishment, and its comparative strength. The probable time required can always be ascertained, and the Courts should maintain a constant communication with the Nazir or the officer responsible for the service of processes. In too many cases dates of hearing are filled in by the subordinate officials of the Court without a thought being given to the subject by the Judge. It has been observed too that the Courts are often unwilling to learn by experience. When a process has been received back after the date fixed for its return, it is common for Courts to issue a second to be returned within the same period as was allowed in the first instance, or at the most to allow grudgingly a few extra days for service. In some cases three and four processes have been issued in this way only to be returned successively long after the dates fixed for hearing, before the Court has understood that the time actually required for the return of the first should have been the measure of what was reasonable time to be allowed for the service of the subsequent process. Another common fault is when a process has not been returned by the date fixed, to make formal adjournments, often extending over weeks, until it is received from the serving officer. It is obvious, however, that if the person to whom it was addressed is not present on the date fixed in the process, no subsequent service can enable him to appear; and in the majority of cases a second process should be issued at once. The delay frequently caused by want of clear and definite instructions in issuing commissions has already been referred to. Another very common cause given for adjournments is "press of work." It may be admitted that the presiding Judges are sometimes overworked, and that other duties are unexpectedly imposed upon them, to which their Civil work must be postponed. But in far the majority of instances it is feared that "press of work" means want of care in preparing the cause list. Dates are fixed without regard to the Judge's other duties or to the probable difficulty of the case. If the Judge looked after his own cause list adjournments would less often be ascribed to "press of work." In the Jubbulpore district special arrangements have been made during the year to ensure greater method and regularity in the disposal of Civil work in the Courts of Tahsildars. These arrangements are described as follows by the Additional Commissioner, who introduced the system.

"In the Jubbulpore district a system has been introduced during the past year which I cannot but believe must have a visible effect on durations and hearings. as well as on manner of disposal. As the Deputy Commissioner has not alluded to it, I may briefly note it here. Each Tahsildar, knowing how many Civil suits he can ordinarily dispose of in one day when at head-quarters, so fixes all suits filed within a stated time, as that they should be disposed of during the requisite number of consecutive days. He arranges to be at head-quarters of tahsil during those few days, leaving the other days of the stated time for other duties in the interior of his tahsil. Thus, if he can dispose of all the suits filed (say) in a fortnight in 3, 4 or 5 days, he fixes so many consecutive days for his Civil work, so that the remaining 11, 10, or 9 days of the fortnight are set free for other duties. I do not mean that these 3, 4, or 5 days are to be devoted *exclusively* to Civil cases; but that his other work should be so arranged for, that nothing which is not pressing should be then taken up. Even this arrangement must be sometimes broken in upon, but since its introduction the Tahsildars have expressed themselves in favour of it, and those litigants with whom I have spoken, have agreed that their convenience has been greatly met thereby, and that they have now a comparative certainty that their cases will be promptly disposed of."

The Officiating Judicial Commissioner thinks that similar arrangements might be made with advantage in other districts. What is required everywhere is greater care and a larger measure of intelligence to be devoted to the formal and preliminary part of the work of each Court; and when none of the causes of delay discussed above can be shown to exist the actual duration of suits will be a secondary consideration.

Number of hearings.

33. There is no general improvement in the average number of hearings, and the worst individual result is shown by Raipur, where the average number of hearings for every suit was 3·2. This result is said to be due to want of care on the part of the Courts in not allowing for difficulties of service, especially in the feudatory estates; but these conditions have always been the same as the Commissioner points out, and the present number of hearings is in excess of the results obtained in former years.

D.—Appellate Business (B 9 and IV.)

Appeals to the Judicial Commissioner, Commissioners and Deputy Commissioners.

34. The number of first appeals instituted during the year is shown below.

	Court of Deputy Commissioners.		Courts of Commissioners.		Court of the Judicial Commissioner.		Total.		Percentage on 18,085. Contested cases in	Percentage on 19,661 Contested cases in
	1878	1879	1878	1879	1878	1879	1878	1879	1878	1879
From decrees. Of ordinary Civil Courts ...	2,831	3,080	559	553	...	...	3,390	3,633	18·7	18·5
From decrees. Of Courts under the Rent Law	...	...	379	350	...	...	379	350	...	...
From orders...	188	179	91	103	...	...	279	282	...	...
Total ...	3,019	3,259	1,029	1,006	...	...	4,048	4,265	...	...

The general Appellate business has not increased with the increase in original suits, but neither did it last year decline with the falling off in suits. In proportion to the original work, it is smaller than in 1878, but the results of last year would not be immediately reflected in the returns of the Appellate Courts, and have probably now had the effect of reducing first appeals. The total increase in appeals in District Courts is only 240 as compared with last year; and there was a numerical increase of 90 appeals in the Hoshangabad district, and of 116 in the Sambalpur district. The reasons for the increase in the first-named district, following the large increase of last year, have already been discussed. In Sambalpur the increase is mainly due to the fact that the appeals from the Court of the Assistant Commissioner last year lay to the Commissioner, whereas they have during 1879 been taken up by the Deputy Commissioner. The absolute increase in their number is due to the extension of the land litigation. The Deputy Commissioner shows that out of 228 contested cases disposed of by Mr. Nedham, who heard the bulk of the suits affecting land, appeals were preferred in 113.

This accounts for the falling off in appeals in the Court of the Chhattisgarh Commissioner; the decline of Appellate work in the Court of the Nagpur Commissioner has not been explained.

35. Appeals first and second (special) were disposed of (otherwise than by transfer) as shown below.

Disposal of appeals.

Courts.	Rejected at preliminary hearing.		Dismissed for default.		Remanded for retrial.		Decree of Lower Court.						Total disposed of.
							Modified.		Reversed.		Confirmed.		
	Number.	Percentage of total appeals.	Number.	Percentage of total appeals.	Number.	Percentage of total appeals.	Number.	Percentage of total appeals.	Number.	Percentage of total appeals.	Number.	Percentage of total appeals.	
1	2	3	4	5	6	7	8	9	11	12	13	14	15
Court of the Judicial Commissioner ...	215	48	3	1	98	22	13	3	81	18	39	8	449
Courts of the Commissioner—													
Nagpur ...	...	...	1	1	19	14	17	13	22	17	72	55	131
Nerbudda ...	...	...	10	9	15	14	18	16	15	14	51	47	109
Chhattisgarh ...	...	...	14	9	33	21	22	13	35	22	56	35	160
Additional Commissioner, Nerbudda and Jubbulpore Divisions ...	...	..	19	3	104	18	45	8	96	16	321	55	585
Total ...	...	...	44	5	171	17	102	10	168	17	500	51	985
Nagpur ...	...	...	26	9	12	4	16	5	69	22	189	60	312
Chanda ...	...	...	11	15	...	...	6	8	20	26	39	51	76
Bhandara ...	...	...	8	7	13	12	11	10	22	20	57	51	111
Wardha ...	...	..	11	4	23	8	35	13	72	27	129	48	270
Balaghat ...	...	...	3	6	13	25	6	11	9	18	21	40	52
Jubbulpore ...	...	...	1	1	21	19	9	8	19	17	62	55	112
Saugor ...	...	...	11	5	9	4	10	5	32	16	143	70	205
Damoh ...	...	...	6	7	8	9	3	3	10	12	59	69	86
Seoni ...	...	...	1	2	5	8	10	16	3	5	43	69	62
Mandla ...	...	...	5	12	1	3	5	12	4	11	24	62	39
Hoshangabad ...	...	...	30	6	63	12	56	11	81	16	285	55	515
Betul ...	...	...	5	4	2	2	14	12	14	12	83	70	118
Narsinghpur ...	...	...	30	12	18	7	18	7	56	22	134	52	256
Chhindwara ...	...	...	8	4	13	9	13	9	25	16	98	62	157
Nimar ...	...	...	23	12	26	14	11	6	20	10	111	58	191
Raipur ...	...	...	27	11	26	10	27	11	31	13	137	55	248
Sambalpur ...	...	...	18	9	25	12	12	6	39	19	112	54	206
Bilaspur ...	...	...	10	6	29	17	9	5	20	12	100	60	168
Total ...	...	...	234	7	307	10	271	9	546	17	1,826	57	3,184
Grand Total ...	215	5	281	6	576	13	386	8	795	17	2,365	51	4,618

It is necessarily some time before the fluctuations in original litigation affect the business of this Court. Original suits had decreased in 1878, and hence the number of second appeals preferred to this Court is fewer in 1879 than in the previous year, but the number admitted is 234, as compared with 225 last year. The percentage of second appeals rejected without notice to respondents, as disclosing no error of law or material defect, has fallen from 56 to 48, the percentage of 1877. No reason can be assigned for this except a difference in the practice of the presiding Judge. If it may be assumed that the decisions of the Courts below were not unnecessarily interfered with, then it must be allowed that appeals were not admitted with too great facility. For out of 234 appeals tried by the Judicial Commissioner, in only 39 were the decrees of the Lower Appellate Courts upheld.

Taking the number of appeals rejected at preliminary hearing with the number of those confirmed it will be seen that the proportion of unsuccessful appeals has fallen from 68 to 56 per cent.

If these statistics are compared with those of Oudh and the Punjab, the result is not favorable to the Courts of this Province. In Oudh 66 per cent of the applications of appeal made to the Judicial Commissioner were unsuccessful, while in the Punjab Chief Court the proportion was as high as 81 per cent. (Punjab Civil Report for 1878, p. 22).

In a very large proportion of the special appeals to this Court the case has to be sent back for re-trial. In many of these cases, perhaps in the majority, the decision may be right. But the investigation has been so defective or the judgment is so incomplete that this Court is unable to come to a decision. A little more care bestowed upon the case by the Court of first appeal, would put a stop to a great deal of the special Appellate work.

The number of appeals disposed of by the Courts of the Commissioners has fallen from 1,192, the total of last year, to 986. The decrease occurred entirely in the Nagpur and Chhattisgarh Divisions. The proportion of decrees confirmed in the Court of the Chhattisgarh Commissioner is again very low, and he attributes this result to the fact that the great majority of appeals had reference to rights in land. In cases of this nature he considers that the enquiries made are generally imperfect and the decisions based on insufficient grounds. In confirmation of his own opinion on this point he quotes the following remarks made by the Deputy Commissioner of Raipur :—

> "I need not dwell on the importance of this class of cases. On their just and careful trial depend in great measure the welfare of the highest class of tenant farmers, improved cultivation, peace and prosperity. In this district it would be difficult to try them properly. Local enquiries are never by any chance held by the Court itself. Patwaris are badly trained, absentee, recently appointed. Their papers are often absolutely worthless from the periodical re-division of fields. Under these circumstances the Court should simply turn on increased industry and acumen, more zeal and brain in fact, but on the other hand the more difficult the case, the less does the Court seem inclined to grapple with it. The same Court which will write a judgment of many pages touching a disputed account of a few rupees between two wealthy baniyas, will dismiss with no enquiry worth the name, a tenant's claim to all the land he holds, to all on which his livelihood, his family's food absolutely depend."

The percentage of orders of confirmation is again very high in Damoh and Seoni, and it is also high in Saugor and Betul. This may be due to the simple character of the cases in three of these districts. In Saugor 70 per cent. of the decisions appealed against were upheld as compared with 49 per cent. in 1878. As there has been little change in the *personnel* of the Subordinate Courts, this improvement may be considered creditable to the Judges of those Courts, unless indeed it is the result of a change in the Appellate Judge. That decrees are confirmed more readily by some Appellate Courts than others can hardly be doubted. The lowest percentage of confirmations is at Balaghat, where it has fallen from 56, the percentage in 1878, to 40. Last year the present Deputy Commissioner of Balaghat was at Raipur, and the percentage of confirmations there was 41, the lowest but one in the Provinces. It has now increased to 56 per cent. of disposals. The dismissals for default are proportionately much fewer than they were last year, both in Commissioners' Courts and in District Courts. The Courts of the Chhattisgarh Division show a very marked improvement in this respect.

Duration of appeals.

36. The duration of appeals of all kinds in the Commissioner's Courts is shorter than in former years. It now stands at 34 days as compared with 60·8 days in 1878. The average duration in the Court of the Additional Commissioner for appeals of all kinds was only 23 days. It was pointed out last year that it was only to be expected that appeals should be more rapidly disposed of by a stationary Court, with nothing to interrupt the regular work of hearing appeals, than by the ordinary Courts of Commissioners. The duration in the Court of the Commissioner of the Chhattisgarh Division has fallen from 91 days to 50 days. It is unavoidable that the duration in this division should be higher than elsewhere. Distances to be travelled are much longer, and appellants have not the advantage a of railway which extends to parts of all the other divisions.

E.—Execution of Decrees (B 10 and III.)

Applications for executing decrees.

37. The applications for execution of decrees are necessarily more numerous than they were last year, but the total number is 5,705 less than in 1877. As the original litigation only falls short of the figures of 1877 by 622 suits, it is evident that applications for execution have very materially decreased in proportion. This is no doubt due in part to the decrease in original suits of last year, and probably also to the operation of Section 230 of the Code of Civil Procedure.

The proportion of cases struck off without execution was 36·3 of the total number of execution cases disposed of. The percentage of applications resulting in failure was 43·5 of the disposals in 1877, and there has therefore been a general improvement in the proportion of complete and partial executions. This was anticipated as the result of Section 370 of Act X. of 1877 already referred to, which requires a Court in admitting a second application for execution to satisfy itself that due diligence was exercised in the first proceedings.

Some of the district results are remarkable. In Nagpur and Wardha the number of applications which resulted in entire failure was larger than the number in which complete or partial satisfaction was obtained. In Raipur the number was nearly as large, but in all the other districts failures were on an average only half the number of successful applications. No explanation of the result at Nagpur and Wardha has been given.

Imprisonment of debtors and insolvents.

38. The number of judgment debtors actually committed to jail was 617 as compared with 459 in 1878. Of this number, however, only 56 were declared insolvents, being 12 fewer than last year. Thirty-six of these insolvents belonged to the Nagpur district, and in seven of the remaining districts no applications to be declared insolvent were made. The statistics, therefore, bear out the remarks contained by several of the reports that there appears to be be no general desire to take advantage of the insolvency provisions of Act X of 1877. The Additional Commissioner says that he feels sure that the Jubbulpore debtors consider it a "blessed relief" to spend a few months in a civil ward where they are well housed and fed. The Deputy Commissioner of Wardha points out that the majority of the debtors who were committed to jail in that district came from the lowest classes, and probably had not sufficient property to satisfy one-third of their debts. The provision of the insolvency chapters would be of little use to them, and they would probably prefer taking the chance of their poverty protecting them from suits by other creditors, to giving to all the debts scheduled against them the force of decrees. This explanation may also be applicable to the class of debtors in other districts. No details as to the classes of the community from which the insolvents have come, or of the trades or professions followed by them, have been given.

Process serving.

39. The number of processes issued without charge in the Jubbulpore and Sambalpur districts is very large. The same explanation is given in each case, changes in presiding Judges, and adjournments consequent on ill-health and on enforced alterations in arrangements.

I have the honor to be,

Sir,

Your most obedient Servant,

A. U. FANSHAWE,

Registrar.

Nagpur:
3rd March 1880.

PRESCRIBED STATEMENTS.

12 3 80 1 & 2 C 191 260

Judicial Statement B 1.

Showing the various Judicial Tribunals, Original and Appellate, existing in the Central Provinces on the last day of the year 1879.

Classes of Tribunals, distinguishing those which exercise powers in one Department from those exercising powers in two or three Departments, and those consisting of paid and unpaid Judges.		Number of Judicial Divisions.	Average area of each Division in square miles.	Average population of each Division.	Number of Tribunals.	Constitution of Tribunals, stating number of Judges in each and Jury or Assessors, if any.	Judicial powers of each Tribunal, Original or Appellate,	Total number of Judges. European. Covenanted.	Commissioned Military Officers	Uncovenanted.	Native.	Average annual salary of each Judge. European.	Native.	Total cost of Tribunals.	Net receipts from Stamps.	Executive or other functions exercised by the same Officer.	Average number of days in the year devoted to Judicial work.	Average number of advocates attached to each Tribunal.	Number of cases decided during the year. Criminal.	Civil.	Revenue.	Appellate.
1		2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
Magistrates of the second and third classes exercising Criminal powers only.	Paid ..	2	7,992	403,237	3	A single Judge presides over each Court: Jury or Assessors not employed.	Each Judge has powers of a Magistrate of the 2nd or 3rd Class under the Code of Criminal Procedure.	.	...	3	...	5,600	...	...	...	The paid Judges are (1) a Civil Surgeon (2), a Dy. Conservator of Forests, and (3) an Asst. Conservator of Forests; the two former exercise the powers of a Magistrate 2nd class, and the latter that of a Magistrate 3rd class.	Sundays and general holidays.	Courts of the Central Provinces.	31	...	...	...
	Unpaid..	41	896	94,598	64			..	...	..	64	...	...	...	...				6,849	...	...	...
Magistrates of the second and third classes exercising Criminal, Civil, and Revenue powers.	Paid ...	44	1,906	190,566	56	Do.	Each Judge has on the Criminal side the powers of a Magistrate of the 2nd or 3rd class under the Code of Criminal Procedure, and on the Civil side power to hear suits of value up to Rs. 50, 100, 300, 500, 1,000, according to his powers under the Central Provinces' Courts Act (XIV. of 1865), and has on the Revenue side the powers of a Deputy Collector under the Rent Law (Act X. of 1859, as amended by Act XIV. of 1863).	...	...	1	55	4,800	1,659	Rs. 6,75,957	Rs. 7,61,727	These officers are Tahsildars (Sub Collectors,) Asst. and Extra-Asst. Commissioners; they are employed generally in administrative work of the district to which they are attached.			10,342	25,084	5,150	...

Small Cause Courts confined to proper functions.	Paid ...	2	1,195	2,56,206	3	A single Judge presides over each Court; Jury or Assessors not employed.	One Judge has power to hear suits up to Rs. 1,000 and the other to Rs. 500 under Act XI. of 1865, the third Judge is Registrar of one of the Courts who, under the same Act, is invested with power to hear suits.	...	2	...	1	10,800	3,000	...	...	...	235 days excluding	4 Barristers at-Law, 2 Attorneys-at-Law, and 69 Pleaders practise in the	...	10,402	...	...
Do. invested also with Criminal powers.	Paid ...	3	1,124	90'657	4	Do.	One of these Judges under Act XI. of 1865, and two under Acts XI. of 1865 and XXII of 1864, have power to hear suits up to Rs. 500 in value. Three of these Judges exercise the powers of a Magistrate. The remaining Judge is the Registrar of one of the Courts, who himself has only Civil powers to decide suits up to Rs. 20.	...	3	...	1	7,600	1,920	...	...	Three of these Judges are Cantonment Magistrates.			725	3,589	...	...
Do. invested also with ordinary Civil or Revenue powers	Paid ...	1	10	14,536	1	do.	This Judge has on the Criminal side the powers of a Magistrate, and on the Civil side jurisdiction in suits not exceeding Rs 500 in value, and of a nature cognizable by Courts of Small Causes. He is also invested with the powers of a Collector under the Rent Act, except only the power to hear appeals. His jurisdiction as above is confined to Cantonment limits.	...	1	...	...	10,800	...	Rs. 6,75,947	Rs. 7,01,727.	This officer is the Cantonment Magistrate of Saugor.			373	191	9	...
Naib Tahsildars invested with Civil powers only.	Paid ...	28	1,642	1,60,429	36	Do.	Each judge can hear suits up to Rs 50 in value, under Section 6, Act. XIV of 1865, "The Central Provinces' Courts Act."	...	...	...	36	...	612			These officers assist Tahsildars in the general administration of Sub-divisions of Districts (Tahsils) to which they are posted.			1634,473	...	...
Magistrates of the first Class (not Magistrates of Districts) invested with Criminal powers only.	Paid ...	1	2	21,621	1	A single Judge presides over each Court. Jury or Assessors not employed.	Each Judge has the powers of a Magistrate of the 1st class under the Code of Criminal Procedure, and the paid Judge has, under the same Code, powers under Section 157.	...	1	..	...	12,000	...			The paid Judge is the Superintendent of the Central Jail Jubbulpore; the other officers are Honorary Magistrates; they exercise the powers of Magistrates of the 1st class within their respective jurisdictions.			2	...	...	...
	Unpaid..	4	1,817	2,20,513	8			...	...	...	8	...	...						1,029	...	...	...

Judicial Statement B 1.—(*Continued.*)

Classes of Tribunals, distinguishing those which Exercise powers in one Department from those exercising powers in two or three Departments, and those consisting of paid and unpaid Judges.	Number of Judicial Divisions.	Average area of each Division in square miles.	Average population of each Division.	Number of Tribunals.	Constitution of Tribunals, stating number of Judges in each and Jury or Assessors if any.	Judicial power of each Tribunal, Original or Appellate.	Total number of Judges. European: Covenanted.	Total number of Judges. European: Commissioned Military Officers.	Total number of Judges. European: Uncovenanted.	Total number of Judges. Native.	Average annual salary of each Judge. European.	Average annual salary of each Judge. Native.	Total cost of Tribunals.	Net receipts from Stamps.	Executive or other functions exercised by the same Officer.	Average number of days in the year devoted to Judicial work.	Average number of advocates attached to each Tribunal.	Number of Cases decided during the year. Criminal.	Number of Cases decided during the year. Civil.	Number of Cases decided during the year. Revenue.	Number of Cases decided during the year. Appellate.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
Magistrates of the 1st class (not Magistrates of Districts) invested with Civil and Revenue powers. Paid ...	24	3,771	366,540	50	A single Judge presides over each Court; Jury or Assessors not employed,	In addition to full Magisterial powers under the Code of Criminal Procedure each of these Judges hear Civil Suits up to Rs. 1,000 or Rs. 5,000 in value according to his powers under Act XIV. of 1865; some of them are invested with the special powers of a Deputy Commissioner to hear civil appeals. On the Revenue side these Judges exercise the powers of a Deputy Collector under the Rent Law.	9	1	7	33	7,976	3,863	...	...	These officers are Assistant, and Extra-Assistant Commissioners, and Tahsildars, who aid Deputy Commissioners in the general administration of the districts to which they are posted.	...	...	11,082	13,730	1,301	614
Magistrates of Districts Paid ...	18	4,678	449,782	18	Do.	In addition to the full powers of a Magistrate, these officers hear appeals from convictions by Magistrates of the second and third classes. They also exercise the special powers of Section 36, Code of Criminal Procedure, to try all offences not punishable with death; on the Civil side they can try suits up to any value, and hear appeals from the decisions of Subordinate Civil Courts of their Districts of the four lowest grades specified in Act XIV. of 1865. On the Revenue side they have the powers of a Collector under the Rent law.	3	13	2	...	15,859	...	Rs. 6,75,957	Rs. 7,61,727	These officers are Deputy Commissioners invested with administrative charge of Districts.	Sundays and general holidays.	Courts of the Central Provinces.	2,693	289	70	3,247

Courts of Session exercising also Civil and Revenue powers.	Paid	...	4	21,032	2,023,511	5	A single Judge presides over each Tribunal. He is assisted by two Assessors when trying defended Sessions cases (Criminal). The 5th Judge is the Additional Commissioner of the Jubbulpore and Nerbudda Divisions, who decides civil appeals only.	These officers preside on the Criminal side over Courts of Session, and try heinous offenders committed by Magistrates to their Courts for trial, and likewise hear appeals from the orders of Magistrates of the 1st Class. On the Civil side Commissioners have no ordinary original jurisdiction, but under Act XIV of 1865 hear appeals in all suits in which the value is Rs. 5,000 or more; and they also hear appeals from the judgments of Collectors and Dy. Collectors in certain suits under Act X. of 1859 (the Rent Act) They have also special original jurisdiction under Act IV. of 1869, the Indian Divorce Act and X. of 1870, the Land Acquisition Act. In the Revenue Department they are Commissioners of Division, and hear appeals from orders of Collectors under the Rent Law. The Additional Commissioner hears Civil appeals only from all the districts of the Jubbulpore Division and from three out of the five districts of the Nerbudda Division.	2	3	..	...	30,480	...	...	...	Commissioners of Division have administrative charge of their respective Divisions, consisting of several districts.	235 days, excluding	4 Barristers-at-Law, 2 Attorneys-at-Law, and 69 Pleaders practise in the	95	...	...	1,607
Court of the Judicial Commissioner.	Paid	...	1	84,963	8,291,519	1	A single Judge presides over this Court unassisted by either Jury or Assessor.	The Judicial Commissioner's Court is the Chief Appellate Court in Criminal and Civil cases; hearing on the Criminal side appeals from the orders of Courts of Session; and on the Civil side, second appeals from decisions passed on appeal by Deputy Commissioners or Commissioners. In Criminal cases the Judicial Commissioner has also the power of a Court of reference and revision given by the Code of Cirminal Procecure to the Sadar Court.	1	..	..	...	27,600	...			...			...	...	...	592

ABSTRACT.*

Number of Criminal Courts.	
Magistrates of the 2nd and 3rd Class	115
Magistrates of the 1st Class	54
Magistrates of Districts	18
Courts of Session	4
Court of the Judicial Commissioner	1
Total ...	192

Number of Civil Courts.	
Small Cause Courts	6
Courts of the Naib-Tahsildar	30
Courts of the Tahsildar	51
Courts of the Assistant Commissioner	36
Courts of the Deputy Commissioner	18
Courts of the Commissioner and Additional Commissoner	5
Court of the Judicial Commissioner	1
	147

*Under administrative arrangements Officers exercising both Magisterial and Civil powers are sometimes employed only as Criminal, and sometimes only as Civil Judges, and sometimes as both. This abstract shows the actual number of Judges employed as Criminal as well as Civil Judges at the close of the year.

JUDICIAL STATEMENT B. 6.—(Civil.)

Statement showing the number and description of Civil Suits instituted and disposed of in the Courts of original jurisdiction, in the Central Provinces, in the year 1879.

Class of Tribunals.	Money due.						Rent not falling under the Rent Law.	Recovery of personal property or value thereof.	Damages.				Suits for immoveable property.	Suits for specific performance of contract.	Suits to declare and establish rights to real property, including pre-emption, foreclosure, &c.	Suits to declare and establish personal rights.	Suits for an account.	Suits relating to religious endowments.	Suits to set aside judgments, contracts or obligations, on the ground of fraud.	Suits for dissolution of marriage.	Suits for enforcement of matrimonial rights.	Suits for partition.	Suits relating to shipping.	Suits relating to religion and caste.	Total.
	On written obligation for sum certain.	On unwritten promise for sum certain.	On account stated.	For money paid or received.	For goods sold and delivered.	For breaches of contract not included in the above.			For injuries to person attended with direct or actual pecuniary damage.	For injuries to property.	For defamation.	For other injuries not included in the above.													
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26
Small Cause Courts ..	6,986	2,149	425	135	3,236	183	230	584		254			...	...	...	...	...	...	...	...	...	...	...	..	14.182
Sub-divisional Courts ...	28,261	12,174	912	529	6,165	1,465	567	10,031		1,813			273	2	4	2	4	...	1	...	...	...	...	...	62,203
District Courts ...	4,259	621	256	104	320	179	38	877		364			3,396	51	421	65	26	3	76	17	215	4	...	...	11,292
Superior Courts ...	...	...	...	...	...	...	...	...		3			...	...	...	..	.	...	...	..	...	...	...	..	3
Total ... 1879 ...	39,506	14,944	1,593	768	9,721	1,827	835	11.492		2,434			3,669	53	425	67	30	3	77	17	215	4	...	...	87,680
Total ... 1878 ...	36,721	12,684	1,308	651	8,660	847	770	10,188		2,347			3,670	57	269	62	38	...	94	5	209	11	...	...	78,591

JUDICIAL STATEMENT B. 7.—(Civil.)

Statement showing the Value of Suits disposed of in the Civil Courts of the Central Provinces, in the year 1879.

Value of Suits.	Number of Suits disposed of in different Courts.							Total value of Suits.
	Small Cause Courts.	Sub divisional Courts		District Courts		Commissioners.	Total number of Suits.	
		Naib Tahsildars.	Tahsildars.	Assistant Commissioners	Deputy Commissioners.			
1	2	3	4	5	6	7	8	9
Not exceeding Rupees 5	2,792	6,583	3,009	513	5	...	12,902	41·263
Ditto " 20	5,364	16,350	8,511	1,583	14	...	31,852	375 902
Ditto " 50	3,683	9,453	8,634	1,889	11	...	23,670	742 436
Ditto " 100	1,316	...	6,618	2,161	17	..	10,112	751 053
Ditto " 300	801	...	3,015	2,892	13	1	6,722	1129 588
Ditto " 500	138	...		983	2	1	1,124	439·786
Ditto " 1,000	89	...	...	692	6	...	786	530 348
Ditto " 5,000	...	...	...	359	88	1	448	842 433
Ditto " 10,000	...	.	...	7	30	...	37	233 052
Ditto " 1,00,000		...	.	4	23	.	27	733 654
Exceeding " 1,00,000	...	...	...	..	...	...	.	..
Total ... 1879 ..	14,182	32,416	29,787	11,063	229	3	87,680	58,19,515
Total ... 1878 ...	14,967	24,834	26,142	12,478	165	5	78,591	63,65,879

JUDICIAL STATEMENT B. 8.—(Civil).

Statement showing the general result of the trial of Civil Suits in the Courts of original jurisdiction, in the Central Provinces, in the year 1879.

Class of Courts.	Suits remaining from last year.	Filed in this year.	Received by transfer.	Total for disposal.	Transferred to other Courts.	Plaints rejected or returned.	Dismissed for default.	Withdrawn with leave.	Compromised.	Decreed on confession.	Decreed *ex parte*.	Dismissed *ex parte*.	Contested. Judgment for plaintiff in whole or in part.	Contested. Judgment for defendant.	Total disposed of.	Pending.	Over two months.	Over four months.	Average duration of Suits. Contested.	Average duration of Suits. Uncontested.	Referred to arbitration.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
Small Cause Courts ..	590	14,396	...	14,986	...	46	2,086	247	1,375	3,635	2,770	73	3,142	808	14,182	804	72	2	28·4	25·0	73
Sub-Divisional tribunals.	2,707	62,119	...	64,826	..	310	13,782	1,146	7,677	15,821	8,450	454	10,782	3,781	62,203	2,623	95	1	32·3	22·0	222
District Courts other than Chief Courts of Districts ..	640	11,149	...	11,789	1	147	1,620	332	752	1,992	1,206	77	3,291	1,666	11,084	705	107	12	44 9	25 7	91
Chief Courts of Districts.	40	198	...	238		7	14	1	9	21	12	3	90	51	208	30	10	5	71·5	62·0	7
Superior Courts ...	...	3	...	3	...	...	...	...	...	...	...	...	2	1	3	...	...	...	88·3	...	...
Total ... 1879 ...	3,977	87,865	...	91,842	1	510	17,502	1,726	9,813	21,469	12,438	607	17,307	6,307	87,686	4,162	284	20	34·3	23 0	393
Total ... 1878 ...	2,781	79,787	.	82,568	...	453	15,222	891	9,817	19 961	9,657	550	15,980	6,060	78,591	3,977	101	10	31·8	21 0	424

JUDICIAL STATEMENT B 9.—(Civil).

Statement showing the business of the Civil Appellate Courts of the Central Provinces, in the year 1879.

Class of Courts.	Remaining from the previous year.	Instituted during the year	Received by transfer.	Total.	Rejected and transferred.	Dismissed for default under Sections 556, 557, Act X of 1877.	Heard *ex parte*.			Contested.				Total disposed of.	Pending.	Over two months.	Objections under Section 561, Act X of 1877.	Objections allowed.	Remarks.
							Confirmed.	Modified.	Reversed.	Confirmed.	Modified.	Reversed.	Remanded.						
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	
Chief Appellate Courts of District ...	213	3,259	...	3,472	...	234	454	21	84	1,372	250	493	276	3,184	288	2	...	...	
Superior Appellate Courts other than Chief Court of Province ...	98	1,006	...	1,104	1	44	106	13	49	394	89	142	148	986	118	3	3	2	
Chief Court of Province ...	82	482	...	564	215	3	2	...	29	37	13	64	86	449	115	3	...	...	
Total ... 1879...	393	4,747	...	5,140	216	281	562	34	162	1,803	352	699	510	4,619	521	8	3	2	
Total ... 1878...	485	4,648	...	5,133	287	402	544	30	142	1,809	313	725	488	4,740	393	16	3	2	

JUDICIAL STATEMENT B. 10—(Civil).

Statement showing the Execution of Decrees in the Courts of the Central Provinces, during the year 1879.

Class of Courts.	Applications to execute decrees.				Decrees completely executed.	Partially executed.	Pending at the end of the year.	Nature and number of coercive processes issued.						Remarks.
	Pending from the previous year.	Filed in the year.	Received by transfer.	Total.				Imprisonment of person.	Moveable property.		Immoveable property.		Under Section 326, Act X. of 1877.	
									Attached.	Sold.	Attached.	Sold.		
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Small Cause Courts	627	8,189	6	8,822	2,341	1,907	756	169	1.379	801				* 18,311 struck off without execution being effected
Local and Sub-Divisional Courts ..	2,947	26,883	664	30,494	9,235	7,023	3,360	284	8,429	3,577	5,101	2,518	12	† 17,699 struck off without execution being effected.
District Courts	1,163	9,753	266	11,181	3,362	2,878	1,322	164	2,472	1,134	2,280	1,000	26	
Superior Courts	...	...	..	...	...	...	...	...	.	.	...	..		
Total ... .. 1879 .	4,737	44,825	936	50,498	15,941	11,808	* 5,438	617	12,280	5,512	7,381	3,518	‡ 38	‡ All temporary alienations.
Total ... .. 1878 ...	3,790	41,725	752	46,267	13,701	10,126	† 4,741	459	11,384	4,142	5,698	2,461	5	

JUDICIAL STATEMENT B. 11.—(Civil)

Statement showing the use of Juries and Assessors in the Civil Courts of the Central Provinces, during the year 1879.

Classes of Courts in which Juries or Assessors are employed, distinguishing Criminal from Civil Courts	Established or average number of Jury or Assessors in each case and prescribed qualifications	Number of cases tried by Jury	Number of cases with Assessors	Jury trials.			Assessors trials		Note showing in what classes of cases Juries and Assessors have been principally employed.	Remarks.
				Verdict in favor of the prosecutor or plaintiff	Verdict in favor of the accused or defendant	Jury discharged without verdict	Number of cases in which Judges agreed with Assessors	Number of cases in which Judges differed from Assessors		
Civil Courts *(Blank)*										

ADDITIONAL STATEMENTS:

2 3 80—3—64—200.

No.

Statement showing the number, description and value of Original

Districts.	For money due. On written obligation.	On unwritten obligation.	On account stated.	For money paid or received.	For goods sold and delivered.	For breaches of contract not included in the above.	For rent, not falling under the Rent Law.	For moveable property or value thereof.	For damages.	For immoveable property.	For specific performance of contract.
1	2	3	4	5	6	7	8	9	10	11	12
Nagpur	11,249	3,123	221	152	3,113	199	197	1,910	356	558	4
Chanda	1,898	310	56	34	265	133	5	355	47	48	...
Bhandara	1,881	587	8	16	231	136	12	487	100	115	...
Wardha	2,658	933	398	32	512	88	13	524	114	162	8
Balaghat	494	409	7	1	64	27	...	261	84	21	1
Jubbulpore	2,313	1,109	267	186	846	37	94	357	158	380	1
Saugor	1,465	496	77	38	325	126	38	599	62	237	3
Damoh	735	285	25	9	149	15	2	223	41	149	3
Seoni	899	569	1	33	201	54	7	471	105	48	...
Mandla	186	333	16	32	84	...	7	93	75	17	...
Hoshangabad	3,379	1,374	170	45	674	255	101	1,820	127	378	3
Betul	1,206	847	10	27	264	90	13	588	121	143	3
Narsinghpur	2,421	542	53	34	268	102	158	511	61	458	3
Chhindwara	1,856	536	58	25	325	39	21	408	86	108	4
Nimar	3,999	1,317	164	61	1,149	27	97	514	96	194	7
Raipur	1,586	1,221	45	17	758	70	34	1,320	359	187	8
Sambalpur	835	323	8	16	278	296	12	379	219	312	...
Bilaspur	446	630	9	10	215	133	24	672	220	154	5
Commissioner Nagpur Division ...	...	...	...	...	...	...	...	...	3	...	...
Total 1879	39,506	14,944	1,593	768	9,721	1,827	835	11,492	2,434	3,669	53
Total 1878	36,721	12,684	1,308	651	8,660	847	770	10,188	2,347	3,670	57

Exhibition of above Grand

Not exceeding Rs. 5	1,549	4,158	127	133	4,026	215	198	1,758	326	400	1
Ditto „ 20	13,709	6,524	426	262	3,918	592	343	4,327	767	779	2
Ditto „ 50	14,259	2,672	382	177	1,216	439	182	2,841	657	794	13
Ditto „ 100	5,705	861	249	87	349	285	60	1,337	338	589	1
Ditto „ 300	3,357	556	254	66	179	228	43	895	219	623	22
Ditto „ 500	463	72	72	28	13	43	3	151	59	189	9
Ditto „ 1,000	298	52	52	13	19	13	5	124	45	149	5
Ditto „ 5,000	140	46	30	7	1	12	1	53	22	121	...
Ditto „ 10,000	16	2	1	...	...	...	...	3	...	14	...
Ditto „ 1,00,000	10	1	...	...	...	...	...	3	1	11	...
Exceeding „ 1,00,000	...	...	...	...	...	...	...	...	...	...	...
Total 1879	39,506	14,944	1,593	768	9,721	1,827	835	11,492	2,434	3,669	53
Total 1878	36,721	12,684	1,308	651	8,660	847	770	10,188	2,347	3,670	57

I.

Suits disposed of in the Central Provinces, during the year 1879.

To declare and establish rights only.											
Connected with immoveable property, including pre-emption, foreclosure, &c.	Personal, unconnected with immoveable property.	For an account.	Relating to religious endowments	To set aside judgments, contracts, or obligations on the ground of fraud.	For dissolution of marriage.	For enforcement of matrimonial rights.	For partition	Relating to shipping.	Relating to religion and caste.	Total.	Remarks.
13	14	15	16	17	18	19	20	21	22	23	
67	16	3	..	...	5	44	...	...	...	21 217	
4	3	1	...	8	...	6	..	..	...	3,173	
7	4	4	...	...	...	17	..	...	...	3,605	
4	6	1	...	3	7	17	...	...	...	5,480	
3	...	...	...	2	2	3	...	...	...	1,379	
25	6	2	...	4	1	13	..	.	...	5,799	
27	8	1	...	1	...	1	1	...	...	3,505	
9	...	1	...	...	...	...	...	.	...	1,646	
4	...	3	...	1	...	7	.	..	..	2,403	
2	..	...	...	...	...	7	1	...	..	853	
5	9	8	2	11	...	4	1	..	..	8,366	
5	1	...	...	4	...	7	..	.		3,329	
2	4	...	...	...	...	17	..	...	...	4,634	
2	...	2	...	3	...	19	...	...	...	3,492	
29	...	...	...	3	2	34	.	...	.	7,693	
194	4	4	...	25	...	6	...	...	..	5,838	
28	5	...	1	2	...	10	1	...	..	2,725	
8	1	...	...	10	.	3	...	...	..	2,540	
...	...	...	..	. .	...	...		...		3	
425	67	30	3	77	17	215	4	...	.	87,680	
269	62	38	...	94	5	209	11	...		78,591	

Total in detail of values.

											Number of suits disposed of in different Courts.						
											Small Cause Courts	Naib Tahsildars' Courts.	Courts of the Tahsildar.	Courts of the Assistant Commissioner.	Courts of the Deputy Commissioner	Courts of the Commissioner	Total value of suits (as computed under the Court Fees Act.)
											24	25	26	27	28	29	30
9	2	...	...	...	...	...	...	...	...	12,902	2,792	6,583	3,009	513	5	...	41,263
194	2	...	...	7	...	...	...	...	...	31,852	5,364	16,380	8,511	1,583	14	...	3,75,902
25	4	...	...	8	...	1	...	...	...	23,670	3,683	9,453	8,634	1,889	11	...	7,42,436
21	3	1	...	7	8	211	..	...	..	10,112	1,316	...	6,618	2,161	17	...	7,51,053
151	49	25	2	41	9	2	1	...	...	6,722	801	...	3,015	2,892	13	1	11,29,588
13	5	1	1	6	...	1	..	...	..	1,124	132	...	...	983	2	1	4,39,786
4	1	2	...	3	...	...	1	...	..	786	88	...	...	692	6	...	5,30,348
7	1	...	..	5	...	...	2	...	...	448	...	...	...	359	88	1	8,42,433
1	...	...	...	...	...		...	..	...	37	...	...	...	7	30	...	2,33,052
...	...	1	...	...	...	...	...	...	...	27	...	...	...	4	23	...	7,33,654
...	...	..	...	...	...	..	...	...	...	...	...	...	...	...	...	...	...
425	67	30	3	77	17	215	4	..	...	87,680	14,182	32,416	29,787	11,063	229	3	58,19,515
269	62	38	...	94	5	209	11	...	...	78,591	14,967	24,834	26,142	12,478	165	5	63,65,879

No.

Statement showing the result of the trial of Original Suits in

Districts.	For disposal.						
	Remaining at close of previous year.	Re-instituted during the year (Sections 99, 108, 562, 623, Act X of 1877.)	Received by transfer from other Provinces during year.	Instituted during the year (Section 58, Act X of 1877.)	Total.	Transferred to other Provinces.	Plaint rejected or returned after institution.
1	2	3	4	5	6	7	8
Nagpur ...	1,010	377	...	20,817	22,204	...	86
Chanda ...	81	36	...	3,139	3,256	...	16
Bhandara ...	190	71	...	3,597	3,858	...	17
Wardha ...	252	127	...	5,514	5,893	...	41
Balaghat ...	76	48	...	1,291	1,415	...	17
Jubbulpore ...	272	123	...	5,921	6,316	...	29
Saugor ...	135	69	...	3,405	3,609	...	36
Damoh ...	66	48	...	1,592	1,706	...	10
Seoni ...	124	32	...	2,313	2,469	...	7
Mandla ...	27	19	...	828	874	...	15
Hoshangabad ...	282	215	...	8,157	8,654	...	49
Betul ...	102	35	...	3,233	3,370	...	23
Narsinghpur ...	163	106	...	4,498	4,767	...	63
Chhindwara ...	154	42	...	3,378	3,574	1	23
Nimar ...	227	102	...	7,641	7,970	...	28
Raipur ...	437	88	...	5,686	6,211	...	14
Sambalpur ...	189	106	...	2,727	3,022	...	6
Bilaspur ...	190	66	...	2,415	2,671	...	30
Commissioner, Nagpur Division ...	...	...	...	3	3	...	...
Total ... 1879...	3,977	1,710	...	86,155	91,842	1	510
Total ... 1878...	2,781	1,743	...	78,044	82,568	...	453

the Districts of the Central Provinces, during the year 1879.

Disposed of.											
Dismissed for default (Section 58, Act X of 1877.		Withdrawn with leave (Section 373, Act X of 1877.)	Compromised.		Decreed on confession (in full of claim.)		Decreed *ex parte*.				
								Dismissed *ex parte*.		Total.	
Number.	Percentage.		Number.	Percentage.	Number.	Percentage.	Decreed.	Number.	Percentage of total *ex parte*.	Number	Percentage of total disposed of.
9	10	11	12	13	14	15	16	17	18	19	20
3,399	16 0	419	2,404	11·3	5,592	26·4	3,89	108	2 8	3,914	18·4
470	14·8	395	34	1·1	974	30·7	427	15	3·4	442	13·9
743	20 6	94	335	9·3	1,047	29·0	517	32	5·8	549	15·2
1,259	22·9	422	93	1·7	1,180	21·5	852	42	4·7	894	16·3
412	29·9	6	149	10·8	305	22·1	158	36	18 5	194	14·1
1,217	21·0	15	527	9·1	1,370	23·6	877	20	2·2	897	15·5
619	17·7	21	739	21·1	832	23·7	298	6	2 0	304	8·7
318	19 3	4	310	18·9	359	21·8	119	8	6·3	127	7·7
429	17·9	18	328	13·7	683	28·4	296	5	1·7	301	12·5
221	25·9	17	153	17·9	144	16·9	103	7	6·4	110	12·9
1,602	19·2	67	1,011	12·1	1,875	22·4	1,512	113	7·0	1,625	19·4
708	21·3	17	611	18·4	736	22·1	399	11	2·7	410	12 3
879	18·9	27	265	5·7	1,300	28·1	539	38	6 6	577	12·5
682	19 5	4	433	12·4	1,114	31·9	498	14	2·7	512	14·7
1,767	22 9	69	682	8·9	2,205	28·7	860	73	7·8	933	12·1
1,463	25·1	84	929	15·9	854	14·6	780	55	6 6	835	14·3
575	21·1	24	285	10·5	625	22·9	232	6	2·5	238	8·7
739	29·1	23	525	20·6	274	10·8	165	18	9 8	183	7·2
..	...	...	...	...	...	...	...	...	...	...	...
17,502	20 0	1,726	9,813	11·2	21,469	24·5	12,438	607	4·6	13,045	14·9
15,222	19·4	891	9,817	12·5	19,961	25·4	9,657	550	5·4	10,207	13·0

No.

Districts.	Disposed of—*Contd.*								
	(Contested and disposed of by)						Total.		
	Judgment for plaintiff.				Judgment for defendant.				
	In whole of claim.		In part of claim.						
	Number.	Percentage on total contested.	Number.	Percentage on total contested.	Number.	Percentage on total contested.	Number.	Percentage on total disposed of.	Total.
	21	22	23	24	25	26	27	28	29
Nagpur ...	2,693	49·8	1,625	30·1	1,085	20·1	5,403	25·5	21,217
Chanda ...	426	50·6	257	30·5	159	18·9	842	26·5	3,173
Bhandara ...	304	37·1	332	40·5	184	22·4	820	22·8	3,605
Wardha ...	591	37·2	632	39·7	368	23·1	1,591	29·1	5,480
Balaghat ...	96	32·4	75	25·4	125	42·2	296	21·5	1,379
Jubbulpore ...	675	38·7	515	29·5	554	31·8	1,744	30·1	5,799
Saugor ...	455	47·7	255	26·7	244	25·6	954	27.2	3,505
Damoh ...	198	38·3	193	37·2	127	24·5	518	31·5	1,646
Seoni ...	242	38·0	241	37·8	154	24·2	637	26·5	2,403
Mandla ...	57	29·5	59	30·6	77	39·9	193	22 6	853
Hoshangabad ...	1,030	48·2	496	23·2	611	28·6	2,137	25·5	8,366
Betul ...	329	39 9	273	33·1	222	27·0	824	24·7	3.329
Narsinghpur ...	668	43·9	369	24·2	486	31 9	1,523	32·9	4,634
Chhindwara ...	289	40·0	204	28·2	230	31·8	723	20·7	3,492
Nimar ...	873	43·5	647	32·2	489	24·3	2,009	26·1	7,693
Raipur ...	499	30·1	578	34·8	582	35·1	1,659	28·4	5,838
Sambalpur ...	322	33·1	319	32·8	331	34·1	972	35·7	2,725
Bilaspur ...	192	25·1	296	38·6	278	36·3	766	30·2	2,540
Commissioner Nagpur Division...	2	66·7	...	...	1	33 3	3	100 0	3
Total ... 1879 ...	9,941	42·1	7,366	31·2	6,307	26·7	23,614	26·9	87,680
Total ... 1878 ...	9,490	43·1	6,490	29·4	6,060	27·5	22,040	28 0	78,591

II—*Contd.*

Pending.			Average.			Number of suits disposed of								
			Duration of suits (in days and tenths)											
Total.	Over two and not over four months.	Over four months.	Contested.	Uncontested.	Number of hearings in suits disposed of.	Instituted in *forma pauperis* (S. 410, Act X of 1877)	In which commission issued for local investigation (S 92, Act X of 1877)	In which commission issued to investigate or adjust accounts (S. 394, Act X of 1877)	In which commission issued to make a partition (S. 396, Act X of 1877.)	In which reference was made to arbitrators.	In which any matter was decided on oath of party or witness	In which any of those costs of a successful plaintiff, which are not more than proportionate to the relief decreed are decreed against such plaintiff.	In which payment by instalments was decreed (S. 210, Act X of 1877)	Remarks
30	31	32	33	34	35	36	37	38	39	40	41	42	43	44
987	21	1	29·5	20·3	1 8	3	61	75	1	76	122	1,502	892	
83	...	...	31 9	22·5	2 3	4	8	9	..	16	10	27	336	
253	16	...	30 2	21·0	2 1	...	35	49	...	9	49	86	193	
413	44	...	42 9	26 6	2·1	1	79	72	...	13	57	134	277	
36	3	..	41 2	27 1	2 1	1	7	1	...	...	12	22	13	
517	70	5	35·4	23 2	1 6	2	62	24	1	69	62	68	504	
104	5	...	34 2	20 6	2 2	3	35	28	...	56	27	255	320	
60	1	...	28·0	19 6	2 3	1	6	1	...	9	6	289	114	
66	1	...	27·9	19·8	2 0	...	3	1	...	12	40	27	265	
21	2	...	29 9	18 9	2·3	..	1	2	...	...	13	14	26	
288	7	1	32·0	22 2	2·0	...	27	43	...	14	29	341	497	
41	...	...	27 3	18 5	2 0	1	53	4	...	5	17	29	108	
133	19	5	32·3	19 3	1 9	...	83	23	. .	13	75	133	326	
82		...	27·1	17 0	1 7	1	26	6	..	5	30	72	366	
277	16		30·0	21 8	1 2	2	28	45	...	26	105	118	943	
373	6	7	36·1	27 0	3 2		149	42	..	28	38	55	156	
297	60	1	51 2	34 3	2 6	4	87	..	1	23	31	193	172	
131	23	...	36 5	24 7	2 9	2	43	10	...	19	22	161	53	
...		88 3	...	1 6	...	.	...	. .	..	...	...	..	...	
4,162	284	20	34 3	23 0	2 4	25	793	435	3	393	745	3,526	5,561	
3,977	101	10	31 8	21·0	2 1	29	565	412	3	424	700	3,135	5,584	

No.

Statement showing the Execution of Decrees in the Districts

Districts.	Applications to execute decrees.					Struck off, execution for the time being ended and no coercive processes remaining in force.				
		Filed.								
	Pending from last year.	Verbally (Section 256, Act X. of 1877.)	In writing.	Received by transfer (i. e., first applications, certificates from other Courts.)	Total.	Decrees completely executed.	Decrees partially executed.	Without execution.	Total.	Decrees of Columns 7, 8, executed by possession being given of specific property decreed.
1	2	3	4	5	6	7	8	9	10	11
Nagpur ...	1,114	17	12,967	659	14,757	3,612	3,132	6,813	13,557	103
Chanda ..	165	13	1,631	27	1,836	602	478	540	1,620	17
Bhandara .	237	7	1,546	9	1,799	631	404	438	1,473	19
Wardha ..	235	...	2,862	49	3,146	808	482	1,481	2,771	34
Balaghat ..	131	1	699	...	831	225	220	231	676	3
Jubbulpore ...	253	67	2,591	53	2,964	981	706	911	2,598	83
Saugor ..	215	..	1,743	8	1,966	630	518	614	1,762	69
Damoh	65	...	678	9	752	247	184	247	678	42
Seoni ...	107	10	997	8	1,122	366	341	313	1,020	...
Mandla ...	5	1	221	9	236	95	54	80	229	7
Hoshangabad ...	533	19	4,598	6	5,156	1,416	1,605	1,479	4,500	120
Betul ...	222	4	1,509	18	1,753	580	474	531	1,585	38
Narsinghpur ...	235	33	3,071	19	3,408	1,159	976	860	2,995	119
Chhindwara ...	322	22	1,933	4	2,281	730	718	580	2,028	25
Nimar .	356	21	3,682	15	4,074	1,453	699	1,551	3,703	18
Raipur ...	283	3	2,134	34	2,454	676	455	1,029	2,160	40
Sambalpur ...	103	...	1,044	...	1,147	424	209	332	965	38
Bilaspur ...	106	...	701	9	816	306	153	281	740	27
Total 1879	4,737	218	44,607	936	50,498	14,941	11,808	18,311	45,060	802
Total 1878	3,790	156	41,569	752	46,267	13,701	10,126	17,699	41,526	831

III.

of the Central Provinces, during the year 1879.

Pending.			Claims to attached property decided.		Nature and number of coercive processes issued.							
							Moveable property		Immoveable property.			
Total.	Over two and not over four months.	Over four months.	For claimant in whole or part.	Against claimant.	Persons actually committed.	Number of persons declared insolvent.	Number of warrants in execution, of which attachment was effected.	Number of orders for sale executed.	Number of warrants in execution, of which attachment was effected.	Number of orders for sale executed, and confirmed by Court and Collector.	Number of cases in which the property was disposed of by the Collector, by lease, mortgage, farm or management.	Temporary alienations authorized und Section 326, Act X. of 1877.
12	13	14	15	16	17	18	19	20	21	22	23	24
1,200	123	52	511	325	172	36	2,946	1,451	1,980	1,169	4	3
216	43	14	84	40	25	...	687	292	190	111	1	...
326	7	5	88	75	8	...	685	317	352	165	..	2
375	64	32	101	74	71	2	644	274	321	229	7	...
155	...	3	27	30	...	1	325	106	70	26	1	1
366	63	14	50	69	82	2	452	211	225	98	2	1
204	49	4	76	95	9	1	450	150	48.	151	...	2
74	19	3	25	49	14	1	171	81	172	70	3	...
102	11	12	23	34	16	2	344	200	150	71	2	...
7	..	..	13	7	2	...	64	18	43	20	...	...
656	28	89	224	334	48	1	1,529	672	887	370	1	24
168	13	14	84	83	16	1	473	195	480	148	3	1
413	88	39	98	124	38	...	957	394	851	386	6	...
253	6	8	54	67	36	...	923	469	436	214	7	3
371	109	17	151	141	45	8	529	212	430	167	3	...
294	...	4	37	40	21	...	566	230	153	83	...	1
182	...	3	3	2	6	1	349	149	124	22	...	...
76	16	1	8	7	8	...	186	93	35	18	...	...
5,438	639	314	1,657	1,596	617	56	12,280	5,512	7,381	3,518	40	38
4,741	266	263	1,385	1,324	459	68	11,384	4,142	5,698	2,461	18	5

5 3 80—20 104 206

No. IV.

Statement showing the Appellate Business of the Courts of the Central Provinces, for the year 1879.

COURTS.		For disposal.				Disposed of.													Pending		Number of cases in which objections under Section 161, Act X. of 1877 were		Average duration of each appeal tried.
									Heard *ex parte*.					Contested.									
									Confirmed.			Reversed.				Reversed.							
		Remaining at close of previous year.	Received by transfer from other Provinces.	Instituted or re-admitted.	Total.	Applications rejected.	Transferred to other Provinces.	Dismissed for default, or under Sections 556, 557, Act X of 1877	Without notice to Respondent.	After notice to Respondent	Modified.	Without remand under Section 562, Act X of 1877.	And remanded under Section 562, Act X of 1877.	Confirmed.	Modified	Without remand under Section 562, Act X of 1877	And remanded under Section 562, Act X of 1877	Total.	Total.	Over four months	Preferred.	Allowed (because successfully maintained).	
1		2	3	4	5	6		8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23
Judicial Commissioner. Special appeals.	From Decrees ordinary.	69	...	448	517	201	.	2	..	2	...	14	10	31	12	55	79	466	111	3	...	...	49·0
	„ Rent Law ..	12	...	18	30	10	...	1	..	..	.	1	2	4	...	4	5	27	3	..	...	...	57·0
	„ Orders ..	1	...	16	17	4	.	.	...	..		2	...	2	1	5	2	16	1	.	...	...	58·0
Commissioner. Nagpur ...	From Decrees ordinary.	10	...	93	103	..	.	1	7	7	2	2	..	29	78	9	7	72	31	2	1	...	53·0
	„ Rent Law ...	12	...	55	67	..	...		5	5	1	3	4	15	6	4	8	51	16	..	..	...	55·0
	„ Orders ..	1	...	8	9	..		...	3	1	..	2	..	...		2		8	1	..	..	...	41·0
Nerbudda ...	From Decrees ordinary.	...	..	14	14	.	..	1	...	2	..	..	..	8	1	..		12	2	...	...	...	67·0
	„ Rent Law ..	4	...	100	104	..	..	9	..	3	1	1	..	37	16	14	15	96	8	1	2	2	43·0
	„ Orders ..		...	1	1	..	..	..	...		...	..	..	1	.		.	1	..	..	...	...	45·0
Addl. Commr. Ner. & Jub. Dns....	From Decrees ordinary.	43	...	405	448		1	13	12	6	3	3	2	190	38	76	78	422	26	...	...	...	26·0
	„ Rent Law .	2		84	86	..	.	1	..	6	..	2	1	49	2	4	14	79	7		...	...	17·0
	„ Orders ..	2	..	85	87	...	...	5	24	7	1	3	3	27	1	8	6	85	2	...	...	..	16·0
Chhattisgarh ...	From Decrees ordinary.	7	...	41	48	...	...	6	.	3	4	...	3	10	14	3	1	44	4	..	...	...	70 0
	„ Rent Law ..	17		111	128	...	..	7	...	11	1	9	10	28	2	21	18	107	21	...	...	...	44·0
	„ Orders	.		9	9	...	..	1	4	...	. ...	1	..	..	1	1	1	9	...	.	...	...	19·0
Total in Courts of Commissioners.	From Decrees ordinary.	60	...	553	613	..	1	21	19	18	9	5	5	237	61	88	86	550	63	2	1	...	34·0
	„ Rent Law . .	35	...	350	385	..	...	17	5	25	3	15	15	129	26	43	55	333	52	1	2	2	39·0
	„ Orders .	3	...	103	106	..	...	6	31	8	1	6	3	28	2	11	7	103	3	...	...	. .	19·0

Deputy Commissioners.	Nagpur	From Decrees	49	...	261	310	...	...	24	12	3	...	...	...	164	16	64	10	293	17	...	...	...	38·0
		„ Orders	6	...	14	20	...	...	2	..	...	...	...	...	10	...	5	2	19	1	1	...	...	45·2
	Chanda	From Decrees	...	...	5	5	...	...	..	2	...	..	3	...	...	...	...	...	5	..	..	...	...	14·8
		„ Orders	12	...	62	74	...	.	11	16	4	1	2	...	17	5	15	..	71	3	...	...	...	34·7
	Bhandara	From Decrees	13	...	104	117	...	...	7	22	3	...	1	...	27	11	21	11	103	14	...	...	...	33·9
		„ Orders	...	...	8	8	...	..	1	5	..	...	...	1	...	...	...	1	8	...	..	...	..	18·3
	Wardha	From Decrees	9	...	242	251	...	...	11	15	17	3	5	...	84	30	62	21	248	3	..	...	...	31·0
		„ Orders	...	...	22	22	...	.	...	3	5	1	1	...	5	1	4	2	22	..	..	...	...	18·0
	Balaghat	From Decrees	...	...	52	52	...	..	3	...	...	1	...	...	21	5	8	13	51	1	...	...	...	17·6
		„ Orders	...	...	1	1	...	...	...	...	..	...	1	..	...	...	...	..	1	...	...	...	...	9·0
	Jubbulpore	From Decrees	4	...	109	113	..	...	1	3	...	...	..	..	59	9	19	20	111	2	...	...	...	22·0
		„ Orders	...	...	1	1	..	...	..	...	...	...	...	1	...	...	...	...	1	..	...	...	...	18·0
	Saugor	From Decrees	15	...	184	199	...	..	10	...	36	2	5	2	98	8	23	7	191	8	...	...	...	22·3
		„ Orders	..	...	15	15	...	...	1	...	5	...	1	...	4	...	3	...	14	1	..	...	...	17·0
	Damoh	From Decrees	1	...	87	88	.	...	6	...	4	...	1	...	52	3	8	8	82	6	..	...	...	21·3
		„ Orders	...	...	4	4	...	...	...	1	1	...	1	...	1	...	..	...	4	...	...	..	...	16·2
	Seoni	From Decrees	4	..	60	64	..		1	26	3	...	...	...	13	10	3	5	61	3	..	...	...	20·5
		„ Orders	..	...	1	1	..	.	...	1	...	...	...	...	...	...	...	...	1	..	...	...	...	6 0
	Mandla	From Decrees	...	...	43	43	..	...	5	12	3	1	3	1	9	3	1	..	38	5	...	...	...	11·7
		„ Orders	...	...	1	1	..	.	...	...	...	...	...	...	...	1	..	..	1	..	..	...	...	13·0
	Hoshangabad	From Decrees	21	...	528	549	..	...	28	...	41	5	9	8	223	49	64	48	475	74	...	...	...	28·5
		„ Orders	2	...	42	44	..	.	2	7	5	...	3	3	9	2	5	4	40	4	..	...	...	19·7
	Betul	From Decrees	2	...	121	123	..	.	5	12	3	...	...	..	67	14	11	2	114	9	...	...	...	24·0
		„ Orders	..	...	5	5	...	..	...	...	...	..	1	...	1	...	2	..	4	1	...	...	...	23·5
	Narsinghpur	From Decrees	20	...	253	273	...		30	..	6	1	3	. .	124	17	50	15	246	27	...	...	...	68·6
		„ Orders	...	...	14	14	...		...	...	3	...	2	1	1	...	1	2	10	4	...	...	...	45·6
	Chhindwara	From Decrees	24	...	134	158	..	.	7	36	7	1	1	..	50	12	23	10	147	11	..	...	...	27·0
		„ Orders	...	...	10	10	..	...	1	5	...	. .	1	2	...	. .	...	1	10	..	...	...	...	13·2
	Nimar	From Decrees	5	..	192	197	...	..	20	10	7	2	1	9	88	9	18	17	181	16	1	...	...	20 3
		„ Orders	...	..	11	11	...		3	4	...	...	1	...	2	...	...	..	10	1	...	...	...	13·2
	Raipur	From Decrees	10	..	256	266	..	..	25	...	...	...	...	...	133	27	30	25	240	26	...	...	...	34·4
		„ Orders	...	...	8	8	..	..	2	..	...	...	...	...	4	..	1	1	8	..	..	...	...	21·0
	Sambalpur	From Decrees	6	...	228	234	..	..	18	52	22	...	3	1	28	12	34	24	194	40	..	...	...	21·5
		„ Orders	..	...	15	15	...	..	...	...	10	...	2	..	...	...	...	..	12	3	..	...	...	13·8
	Bilaspur	From Decrees	10	..	164	174	..	..	10	..	22	3	2	2	77	6	18	26	166	8	...	...	...	22·1
		„ Orders	...	.	2	2	...	.	...	..	...	...	...	..	1	...	...	1	2	. .	...	...	...	18·0
Total in Courts of Dy. Commissioners.		From Decrees	205	.	3,080	3,285	...	...	222	216	181	20	36	23	1,334	246	472	262	3,012	273	1	...	...	30·8
		„ Orders	8	...	179	187	..	..	12	28	29	1	17	8	38	4	21	14	172	15	1	...	...	22·1
Total in all Courts.		From Decrees ordinary.	334	...	4,081	4,415	201	1	245	235	201	29	55	38	1,602	319	615	427	3,968	447	6	1	...	33·1
		„ Rent Law	47	...	368	415	10	...	18	5	25	3	16	17	133	26	47	60	360	55	1	2	2	40·3
		„ Orders	12	...	298	310	4	...	18	59	37	2	25	11	68	7	37	23	291	19	1	...	...	22·7
		Grand Total	393	...	4,747	5,140	215	1	281	299	263	34	96	66	1,803	352	699	510	4,619	521	8	3	2	33·0

No.

Statement of Process Fees

COURTS.		(1) Fees levied. In separate detail for each Court.														
		On processes directed to be served by European bailiff (Special Rule I.)		On other processes issued.						For assisting in distraint (Special Rule III.)		Additional Fees.				Grand total of fees levied (Columns 2 to 9.)	
		At Rs. 2 rate.	At Rs 1 rate.	At Rs. 1 rate.	At As. 8 rate.		At As. 4 rate.					Under Special Rule IV.		Under Special Rule V.			
1		2	3	4	5		6		7			8		9		10	
		Rs.	Rs.	Rs.	Rs.	a.	Rs.	a.	Rs.	a.		Rs.	a.	Rs.	a.	Rs.	a.
Nagpur ...	Civil ...	176	207	6,143	5,711	8	17,273	0	11	8		102	8	13	4	29,637	12
	Revenue ...	...	...	70	87	0	790	8	...	...		...	...	...	...	947	8
Chanda ...	Civil ...	...	...	1,210	870	0	2,703	0	...	...		4	8	4	12	4,792	4
	Revenue ...	...	...	71	26	0	144	4	...	...		2	0	...	...	243	4
Bhandara ...	Civil ...	...	...	299	1,121	8	2,938	12	...	...		6	8	...	...	4,365	12
	Revenue ...	...	...	31	52	8	277	0	...	...		...	...	...	...	360	8
Wardha ...	Civil ...	...	...	2,452	1,230	8	5,552	4	7	8		152	0	18	8	9,412	12
	Revenue ...	...	...	89	57	0	481	4	...	...		...	...	...	...	627	4
Balaghat ...	Civil ...	...	...	133	503	0	1,014	0	...	...		22	8	...	...	1,672	8
	Revenue ...	...	...	43	24	8	73	4	...	...		...	...	...	...	140	12
Jubbulpore ...	Civil ...	52	87	1,810	888	0	4,874	4	...	...		72	8	...	...	7,783	12
	Revenue ...	...	...	176	95	0	931	12	...	...		...	...	...	...	1,202	12
Saugor ...	Civil ...	...	...	682	1,391	0	3,577	8	1	0		56	12	7	0	5,715	4
	Revenue ...	...	...	83	124	0	369	0	...	...		...	...	2	8	578	8
Damoh ...	Civil ...	...	...	337	457	0	1,451	0	...	...		37	4	...	...	2,282	4
	Revenue ...	...	...	32	41	0	205	12	...	...		4	8	...	...	283	4
Seoni ...	Civil ...	...	...	533	521	0	1,682	0	...	...		...	...	...	...	2,736	0
	Revenue ...	...	...	41	26	0	192	8	...	...		...	...	...	...	259	8
Mandla ...	Civil ...	...	...	75	129	8	529	0	...	...		3	4	4	8	741	4
	Revenue ...	...	...	18	4	0	23	12	...	...		1	0	...	...	46	12
Hoshangabad ...	Civil ...	...	...	3,035	3,103	0	6,706	8	...	...		287	8	...	...	13,132	0
	Revenue ...	...	...	224	194	0	495	8	...	...		32	8	...	...	946	0
Betul ...	Civil ...	...	...	778	1,471	0	2,245	12	...	...		65	0	...	...	4,559	12
	Revenue ...	...	...	57	57	8	193	0	...	...		4	0	...	...	311	8
Narsinghpur ...	Civil ...	...	...	1,860	2,603	0	4,330	0	...	...		30	12	4	0	8,827	12
	Revenue ...	...	...	195	225	0	742	4	...	...		...	...	...	...	1,162	4
Chhindwara ...	Civil ...	...	...	1,027	1,418	0	3,349	12	...	...		32	0	...	...	5,826	12
	Revenue ...	...	...	39	48	0	302	0	...	...		...	...	...	...	389	0
Nimar ...	Civil ...	...	...	1,477	1,756	0	4,741	0	...	...		37	4	...	...	8,011	4
	Revenue ...	...	...	16	26	0	107	4	...	...		...	...	...	...	149	4
Raipur ...	Civil ...	...	...	726	1,182	8	4,388	8	...	...		...	...	...	...	6,297	0
	Revenue ...	...	...	112	108	0	324	4	...	...		...	...	...	...	544	4
Sambulpur ...	Civil ...	...	...	590	528	0	2,005	4	...	...		...	...	1	8	3,124	12
	Revenue ...	...	...	52	40	8	419	8	...	...		30	0	...	...	542	0
Bilaspur ...	Civil ...	...	...	244	382	8	2,092	8	...	...		...	...	5	8	2,727	8
	Revenue ...	...	...	108	90	8	405	8	...	...		...	...	...	...	604	0
Total ...	Civil ...	228	294	23,411	2,267	0	71,454	0	20	0		910	4	62	0	1,21,646	4
	Revenue ...	...	...	1,457	1,326	8	6,478	4	...	...		74	0	2	8	9,338	4
	Grand Total ...	228	294	24,868	26,593	8	77,932	4	20	0		984	4	64	8	1,30,984	8

V.

for the year 1879.

(2) Charges.												
In separate detail for each Court or set of Courts having a joint establishment.									Collectively for the Province.			
Naib-Nazirs.		Peons.							Contingencies.			Remarks as (1) Number of processes re-issued without charge (Special Rule v.)
			1st Class at Rs. 10.		2nd Class at Rs. 8.		3rd Class at Rs 6.					
No.	Total salary.	Salary of European bailiff.	Number on last day.	Total salary.	Number on last day	Total salary.	Number on last day	Total salary.	Heads of charges, *e. g.*, process forms, registers, other stationery, official postage, servers' badges, furniture, &c.	Charge under each head.	Grand total of all charges (Columns 12, 13, 15, 17, 19 and 21.)	
11	12	13	14	15	16	17	18	19	20	21	22	23
No.	Rs.	Rs.	No.	Rs.	No.	Rs.	No.	Rs.		Rs.	Rs.	
12	2,101	720	15	1 70	13	995	113	7,40[illegible]	Binding, printing, stationery charges, badges, and official postage.	248	13,175	17
2	340	...	1	119	4	322	20	1,56[illegible]		11	2,360	5
2	360	...	3	232	3	223	29	1,724		...	2,539	...
4	713	...	3	321	4	376	32	2,47[illegible]		190	4,070	47
1	162	...	1	114	1	82	10	71[illegible]		8	1,083	38
2	418	720	5	604	4	364	33	2,489		113	4,708	396
3	660	...	3	305	3	275	40	2,776		163	4,179	55
2	315	...	1	218	...	23	12	1,303		19	1,878	26
1	156	...	2	242	1	93	14	1,070		...	1,561	...
...	...	...	1	113	.	...	8	631		5	752	50
4	780	...	8	908	3	238	45	3,004		...	4,930	15
2	420	...	4	413	2	182	23	1,379		220	2,614	2
3	576	...	4	413	5	481	33	2,517		55	4,042	54
2	419	...	4	417	2	209	23	1,730		25	2,800	56
2	422	...	6	732	1	98	28	2,085		86	3,423	...
1	238	...	2	240	2	153	33	2,288		14	2,933	...
...	...	...	1	120	1	95	18	988		6	1,209	634
2	359	...	2	226	2	192	16	1,349		...	2,126	40
45	8,439	1,440	66	7,443	51	4,401	430	37,496		1,163	60,382	1,491

FROM

A. U. FANSHAWE, ESQUIRE,

OFFG. ASST. SECRETARY TO THE CHIEF COMMISSIONER,

Central Provinces.

To

THE REGISTRAR,

JUDICIAL COMMISSIONER'S COURT,

Central Provinces.

Dated Nagpur, the 28th February 1881

SIR,

I am directed to acknowledge your letter No. 236 of the 11th instant, received in print on the 17th instant, submitting the report of the Judicial Commissioner on the administration of Civil Justice in these Provinces during the year 1880. The district reports and the report of the Commissioner of the Nagpur Division were received on the 16th instant, and the reports of the Additional Commissioner and the Commissioner of the Chhattisgarh Division on the 19th instant.

2. The number of Civil Courts open in the Provinces at the close of the year was four in excess of the number of last year, the accession to the Provincial strength having occurred entirely in the Courts of the Naib Tahsildar. The necessity of opening two more Courts of this grade, one in the Bilaspur district, and the other in the Sambalpur district, is discussed in paras. 4 – 7. The danger of creating litigation has always to be remembered in considering propositions for opening new Courts, and their establishment should only follow the proved need for additional Court power. There is ample evidence to show that wherever the machinery of a Civil Court may be set up there will always be plenty of persons ready to employ it, and the Chief Commissioner observes that the Deputy Commissioner of Bilaspur himself attributes the greater part of the increase at Mungeli to the convenience which has been made, by the local money-lenders and traders, of the Naib Tahsildar's Court which was opened there last year. With regard to the language difficulty in Sambalpur, now prominently brought to notice, it will be enough for the Chief Commissioner to say here that the importance of having the Courts presided over by officers who understand the language of the mass of the people is fully recognized by him, and that the subject is under consideration.

3. The old evil of professional mukhtars has not yet been everywhere removed, but the remedy lies in the hands of the Courts and of the Deputy Commissioner of the district, as their immediate superintending authority, and it was last year successfully enforced in the Balaghat district. If there are persons practically belonging to this class who still practise in the Courts and are known to be utterly unscrupulous, as reported by the Deputy Commissioner of Raipur, then they are plainly not fit persons to be allowed to appear as recognized agents, and the Courts are vested with the discretion of deciding as to their fitness. The class of petition writers who carry on their occupation at our Courts has been brought under authoritative control during the year. Unqualified and irresponsible persons have been excluded from the precincts of the Courts, and there is universal testimony in favour of the measure of reform which has been introduced. Of the local bar there is nothing new to be said. No complaints of unprofessional conduct have been made against any of its members, and though there is reason to believe that some touting goes on, the ordinary standard of respectability seems to have been maintained. It is essential that the various classes who find their livelihood at the Courts, and who are more or less closely identified with them in the popular mind, should realize that they are subject to the control of the Courts and that a good character is a matter of importance to them, and the Chief Commissioner cordially approves of the endeavours of the Judicial Commissioner to effect this object in the case of recognized agents and petition writers.

4. There were 91,379 suits instituted during the year as compared with 87,862 in 1879 and 88,484 in 1877, the highest number previously reached. The inevitable tendency of litigation in these Provinces, at their present stage of development, is to increase. In 1878 this tendency was checked by general causes affecting the greater part of the Provinces, but the effect of these disturbing causes has now passed away and the normal tendency has re-asserted itself. The increase, it is stated in paragraph 13, was most marked in the districts of Wardha, Nagpur, Bhandara, and Raipur, and to these apparently should have been added Bilaspur, where the increase was larger, actually and relatively, than in any other district in the Provinces. Variations from year to year and local fluctuations within districts are not in ordinary times capable of any very definite explanation, but in paragraphs 16—20 some of the main influences which may be expected to affect litigation are indicated. There can be no doubt that the grain export trade has an important effect on the Court business in some districts, especially in Nagpur, Bhandara and Raipur; but considering how largely our Courts are used by the money lending class for the purpose of recovering debts, the Chief Commissioner is not inclined to attach much weight to explanations of increase and decrease in litigation founded on the character of Judges. The Judicial Commissioner in a subsequent paragraph expresses an opinion that the conduct of Judges has little influence on the statistics as regards the disposal of suits, and it probably has still less influence on the institution of suits.

5. It has been accepted that the general tendency of litigation in these Provinces is to advance, but a review of the statistics for the last ten years shows that the tendency is very much weaker in some districts than in others, and that in parts of the Provinces it cannot be said to exist at all. The only district in the Nerbudda valley in which litigation has materially increased during the decade is Hoshangabad. The highest point was reached in 1876, and since then litigation has remained stationary for three years, excluding 1878, which was an unusual year everywhere, and has now fallen off. In Jubbulpore the number of suits instituted during the first two years of the decade was larger than the number in any succeeding year up to 1877, and it is only during the last two years that there has been any significant advance in litigation. In Narsinghpur and Nimar the tendency has been distinctly to recede. In the former district litigation during the last five years has been uniformly lower than during the preceding five years; while in the latter, litigation, which had been unduly fostered, was at its highest in 1872, and of late years has gone back to the position which it occupied in 1869 and 1870. In Damoh there has been no increase. Civil business in 1880 stands where it stood in 1871, and the average number of institutions during the last five years is below the average institutions of the five years immediately preceding the decade. In Saugor litigation was at its highest during the three years 1876, 1877, 1878, but even then it was less than the litigation of the three years before 1871, and since 1878 it has declined. In the Satpura districts of Seoni and Chhindwara litigation shows, on the whole, a tendency to expansion; but in Betul it has pursued the even tenor of its way; institutions were 3,207 in 1871, 3,225 in 1875, 3,216 in 1877, and are now 3,069. In Nagpur, on the other hand, litigation has increased from 14,661 suits in 1871 to 21,813 in 1880, and the tendency to increase has been constant throughout the decade. In Bhandara the litigation of the last five years has been materially larger than during the first five years, and in 1880 has reached a point far in advance of the results of any former years, and the Commissioner considers that a still further development is to be expected At Wardha there has been no advance since 1876; but at Chanda the increase has been steady In the Chhattisgarh Division there has been remarkable progress, and the Commissioner gives statistics showing that since 1862 litigation has increased nearly seven-fold. In Raipur the institutions of 1880 are double the institutions in 1871. In Bilaspur there has been a continual increase during the last five years, and the present returns show litigation larger by a third than the litigation in 1871, and altogether in excess of anything recorded during the decade. In Sambalpur a great stride has been made in the last two years, the institutions of which have been double the institutions in 1871, and have exceeded the litigation in any previous year by more than a third. The tendency of Provincial litigation to increase has, therefore, been mainly due to the results in the Nagpur and Chhattisgarh Divisions,

and it is probable that this part of the Provinces must be looked to for any further increase to be expected in the immediate future. That advance in civilization necessarily carries with it an increase of litigation is probably not capable of being maintained as a general proposition without regard to the state of development which a country has reached. The causal connection is in most cases difficult to trace. In the Narsinghpur district, as already shown, there has been no such tendency of late years, although it is the seat of a grain export trade, and although the increase in the value of land, and especially of land lying near the railway which traverses the district, is notorious. But where material progress means the opening out of communications with a part of a province hitherto comparatively isolated, and the consequent development of trade, there can be no doubt that it carries with it the potentialities of increased litigation. In the interplay of newly introduced business relations, there will always be, it may be thought, a fresh field for litigation. But even here, although there is evidence that both in the Raipur and the Bhandara districts, trade has materially swelled the work of the year, it is necessary to guard against the danger of drawing wider conclusions than the facts warrant. The general character and value of the Provincial litigation, to be discussed further on, shows conclusively how slight as yet are the influences of general trade transactions on the aggregate business returns of our Courts.

6. There has been no material change in the value of the suits which come before the Courts for adjudication. More than 78 per cent of the total number were for sums less than Rs. 50, and 90 per cent were for sums below Rs. 100. How little the main character of the litigation has altered in ten years may be seen from the following comparison. In 1871 the proportion of suits of a lower value than Rs. 100 was 89 per cent, in 1875 it was 90 per cent, and in 1879, 89·6 per cent of the total institutions for the year. The great majority of the suits were for money due on bond or other contract, the percentage of suits of this description being higher than in any former year. The proportion of these suits to total institutions was 77·8 per cent in 1878, 78 per cent in 1879, and is now 87·3 per cent. The reason for what would otherwise be a remarkable variation, is to be found in the change in the classification of grain suits which was introduced last year. Formerly they were returned as suits for moveable property, or its value, but they are now shown under the miscellaneous sub-head of suits for money due for breach of contract. The proportion of suits for moveable property has, therefore, fallen from 13·1 per cent in 1879 to 4·3 per cent of institutions in 1880, and there has been a corresponding increase under the head of suits for money due on bond or other contract Statistics as to these grain suits have not been furnished, except from Chanda, where the large majority, 244 out of 321, were instituted against cultivators. The Commissioner of the Chhattisgarh Division remarks upon the excessive interest in kind which is taken in that Division on grain loans, and on the necessity of Judges going behind the instrument. The instructions already issued by the Judicial Commissioner ought to be sufficient to prevent the Civil Courts from enforcing usurious transactions of this nature. If penal rates are entered in the bond the Courts are not only legally entitled, but bound, to relieve the persons sued. The welfare of the agricultural classes is so intimately bound up with the question of advances of seed grain that the Chief Commissioner thinks that the action of our Courts in decreeing payment in these cases should be jealously watched, and the examination of of cases connected with grain transactions regularly undertaken. This has been done in some districts, and the subject, as the Chief Commissioner is aware, has always received special attention from the Judicial Commissioner. Only 3,844 suits were connected with immoveable property, the proportion to the total number of suits being 4·2 per cent, the same as last year. Out of these 3,844 suits, 506 were instituted in Nagpur, 488 in Jubbulpore, 418 in Sambalpur, and 405 in Narsinghpur. In the three last named districts and Damoh, land litigation, so far as it is indicated by these statistics, occupied a more prominent position in relation to the district litigation than elsewhere. In Sambalpur the proportion of these suits was 14·5 per cent of total institutions, and the great majority of them were in connection with land boundaries. The settlement at

Sambalpur was defective in the matter of measurements, and the Commissioner reports that a field survey is being gradually worked out by the ryots through the Civil Courts. In the other districts mentioned, much of the litigation is in connection with house property, and Sambalpur is the only district in which it can be said that land litigation occupies anything like an important position. In 1871 the total number of suits connected with immoveable property was 1,193, or 2·5 per cent of the institutions in that year. In ten years the number has become double. But after making allowance for the fact that a large proportion of these suits relate to urban house property, it must be admitted that land litigation has as yet made no great mark on the annals of our Civil Courts.

7. One broad conclusion is sufficiently plain. Nine-tenths of the litigation of the Province is now, as it was ten years ago, of a value not exceeding Rs. 100, and the general position which our Courts occupy towards the people of the Province is simply that of an agency for the collection of the debts of petty money-lenders and traders. Three years ago a special Court was opened at Saonair in the Nagpur district, a town of some 5,000 inhabitants, about 25 miles distant from the tahsil head-quarters of Ramtek and Katol, and 22 miles from Nagpur itself. The object in establishing this Court was to relieve the Tahsil Courts of these three places from the pressure of Civil work, and this object has been attained. But the Saonair Court itself has been overwhelmed with a mass of local suits which never would have been instituted, had the plaintiffs been required to attend any one of the Tahsil head-quarters. A practical illustration of the extent to which our Courts are used as a convenience is given by the Deputy Commissioner of Narsinghpur, who reports that out of the 2,279 suits filed during the year at Gadarwara, no fewer than 218, or nearly 10 per cent, were instituted by one firm, and that 41 money-lenders were responsible for more than two-fifths of the entire business of the Court. Whenever a Court is opened at any new place, the resident money-lender transfers to Government agency the work of realising his outstanding accounts. There is nothing novel in this view, but it is important that its absolute reality should be understood, because it is at once the cause and explanation of the general results under every division of the year's administration of Civil Justice.

8. The 91,067 original suits of the year were distributed among the various grades of Courts as follows:—

Small Cause Courts	...	14,502 or 15·9	per cent.
Naib Tahsildars	...	36,702 or 40·3	,,
Tahsildars	...	27,572 or 30·3	,,
Assistant Commissioners	..	12,071 or 13·3	,,
Deputy Commissioners	...	219 or ·2	,,

Every year now sees a larger proportion of the civil business undertaken by Naib Tahsildars. In 1876 they took up only 28·3 per cent of the year's work; last year they took up 37 per cent, a great advance on former years, and now they have taken up two-fifths of the entire business of the year. It has also to be said that the additional Tahsildars at Gadarwara and Saonair, in the Narsinghpur and Nagpur districts, are practically Judicial Naib Tahsildars with enhanced powers. Neither of them takes up any revenue work. The simple character of the great bulk of the litigation has already been spoken of and for several years past it has been fully accepted that the Naib-Tahsildars of the Provinces are capable as a body of adjudicating on the suits which come before them. In the present year, however, a general expression of dissatisfaction with their work is contained in the reports from the Chhattisgarh Division. The Deputy Commissioner of Raipur writes :—

> "There is not a single Naib Tahsildar in this district who has acquired any thing beyond the most elementary knowledge of law, and cases have occasionally come before me in which I could not but suspect bias on the part of the Judge. It seems most important that the post of Naib Tahsildar should not be filled except by men who have shown themselves qualified to undertake judicial work."

The Commissioner of the Division apparently endorses these views in the following extract:—

> "None of the Deputy Commissioners speak favorably of the work turned out by Naib Tahsildars, but there is no reason why these men should not be taught, and when found incapable transferred to other positions. If the Local Government were pleased to lay down a rule that no one should be appointed a Naib Tahsildar who might not reasonably be expected to qualify as a Tahsildar, and that all appointments to the post of Tahsildar should ordinarily be made from among Naib-Tahsildars, I venture to think that we should have better Judges among Tahsildars and Naib-Tahsildars."

At present Naib Tahsildars are appointed by Commissioners of Division, and are not necessarily required as Naib Tahsildars to pass any qualifying examination; but it is presumed that they are appointed with some reference to their practical qualifications for their work. This system has hitherto been successful, and the Commissioner of Nagpur reports that experience continues to prove that Naib Tahsildars are quite as well qualified to dispose of the work which is allowed to go before them as Tahsildars. But it may be a question, now that the work done by judicial Naib Tahsildars is becoming such an important part of the civil administration of the Provinces, whether they should not be required to pass an examination in all cases, and whether the selection should not be made from candidates approved by the Judicial Commissioner. It may well be doubted, however, whether the knowledge of procedure and law thus made compulsory would ensure the capability of striking proper issues and confining the evidence to the points in issue, of the absence of which the Deputy Commissioner of Raipur complains. The persons selected to act as Naib Tahsildars have in most cases had an intimate acquaintance with the procedure of our Courts, and if this has not enabled them to deal with cases in the concrete, the passing of an examination in procedure and law will not be likely to give them the desired power. But the class of cases which come before them is generally so simple that the issues to be drawn can hardly be anything beyond the embodiment of a question of execution or payment in the affirmative or negative. The Chief Commissioner will be glad to be favoured with the Judicial Commissioner's views on the subject.

9. The statistics as to the disposal of suits may be summarized as follows:—66,682 suits or 73·2 per cent of actual disposals were disposed of without contest, and of these 22,902 or 25·2 per cent of the year's disposals were decreed on confession. As compared with last year, the numbers dismissed for default are proportionately lower, and it is reported that the Court procedure in this respect, especially in the Chhattisgarh Division, has improved, and that the convenience of the public has been more properly consulted in making adjournments and in giving due information to suitors. The number of decrees on confession is higher than ever, both actually and relatively to the total number of disposals. The difficulty in such cases, which has not been adequately explained, is to understand why such a large proportion of the year's suitors should take the trouble to attend Court merely to confess judgment. In Nimar, where decrees by instalment have always been numerous, it has been suggested that debtors attend in the hope of obtaining this concession. The same explanation is given this year by the Deputy Commissioner of Chhindwara. Something also is no doubt due to a desire on the part of debtors to know what has actually been done in the Court. But the real explanation of the increasing proportion of these decrees must be found in the position of our Courts, already referred to, with regard to the money-lender and his clients. He uses the Courts as the means of collecting his debts and saving himself from trouble in dunning his debtors; and there is therefore no reason why the great majority of them should do anything but admit their liability. It would perhaps be advisable that the Courts should again be reminded of the necessity of decreeing costs against successful plaintiffs who have unnecessarily thrown their debtors into Court.

10. The subject of Civil Court commissioners is one on which some general orders for the Provinces may be issued with advantage. It is said in paragraph 42, that the class of persons to whom commission for local investigations should issue has been limited by instructions issued by the Chief Commissioner, and that the difficulty now is to find suitable persons for the work. The orders of the Chief

Commissioner were issued on a reference made by the Judicial Commissioner, and merely laid down that certain Revenue officials who could not be supposed, from the nature of their employment, to possess any local knowledge should not be appointed to act as commissioners, and that no Revenue officials should be appointed except with the knowledge and sanction of the immediate head of the district to whom they were responsible. Commissions are said to be issued in many cases in which they are unnecessary, but when they are necessary it is essential that they should be issued to properly qualified persons. The Judicial Commissioner wrote last year: "There are no Civil Amins in these Provinces, "and it is understood that in some districts there has been allowed to grow up a "class of volunteer commissioners, men of no antecedents and uncertain "character, who haunt the Courts and look to work of this kind as a means of "obtaining a livelihood. In one instance the Judicial Commissioner had to "point out that a petition writer was not fitted to act as a Civil Court commis-"sioner. It is obvious that a commissioner should be a man of respectability "and of some position. He is called upon to perform duties which require the "exercise of authority, and frequently of tact. He has to record evidence, to "bring the parties together, and to hear impartially what is to be said on both "sides. In some cases he is able to do good service by promoting a compromise, "and so far discharges the office of a conciliator."

The Chief Commissioner thoroughly concurs in these views and took the opportunity of a reference on the subject from the Commissioner, Chhattisgarh Division, to suggest that it might now be advisable that some regular agency, such as that of the Civil Amins in the North-Western Provinces, should be introduced for carrying out commissions, or that at any rate Deputy Commissioners should be required to prepare lists of suitable persons who would be ready to act as commissioners, and to instruct the Courts to issue commissions to them.

11. Durations are somewhat higher. The average number of days required for the disposal of every contested suit has been 36·1 days as compared with 34·3 days last year, and for the disposal of every uncontested suit has been 22·9 days as compared with 23 days last year. In the districts in which the duration has been highest there were causes at work, which have now been removed, to account for the high duration. Faulty procedure is still said to be the cause of prolonged duration in many cases, and the Chief Commissioner notices that several Deputy Commissioners report that subordinate Courts are apt to make unnecessary adjournments to suit the convenience of well-to-do plaintiffs without sufficiently considering the hardship which may be caused to a defendant who has attended from a long distance. It is also alleged, and probably with justice, that cases are frequently kept pending for long periods owing to repeated adjournments on trivial pretexts at the request of pleaders. These are points to which attention should perhaps be directed, but the actual length of time over which a suit may have been pending is a matter of comparative unimportance, as stated by the Judicial Commissioner, if when it does come before the Judge, it is heard and decided without any delays except such are absolutely required in the interests of the parties.

12. The appellate business is dealt with rather summarily. There were 4,342 first appeals as compared with 4,265 last year, and out of this number 2,523, or 52 per cent of disposals, were confirmed. The percentage of confirmations is still lowest in the Court of the Commissioner of the Chhattisgarh Division, but has risen from 35 per cent to 46 per cent of cases disposed of. With regard to appeals heard by Deputy Commissioners, changes in the *personnel* of subordinate Courts are said to render it impossible to institute any valuable comparison. The work in the Judicial Commissioner's Court has increased from 449 to 508 appeals, and the most noticeable feature is that the percentage of confirmations has risen from 8 per cent to 14 per cent of disposals. The Chief Commissioner hopes that this may be accepted as a proof of greater thoroughness on the part of the lower Appellate Courts.

13. Applications for execution of decree have increased largely, following and proportionately surpassing the increase in original suits, but 37·5 per cent of the

total number were struck off without execution. This is said to be due to the abrogation of the rule requiring a judgment-creditor to show that he had exercised diligence in former proceedings before he could be allowed to institute further proceedings. The Judicial Commissioner is satisfied with the procedure of the Courts in these cases. Only 595 persons were committed to prison, and of this number only 29 were declared insolvents. The provisions of the insolvency law are therefore little better than a dead letter in these Provinces. The explanation accepted is the same as the explanation given last year, that honest debtors are seldom put into prison, and that fraudulent debtors, who have concealed property, do not like to submit to the test of insolvency proceedings. A more complete review of the action of the Courts in dealing with the provisions of the Insolvency law is promised next year.

14. The Chief Commissioner desires to express his high appreciation of the energy, decision and thoroughness which have characterized the Officiating Judicial Commissioner's control over the Courts of the Provinces. He has also to thank Mr. Crosthwaite for the very valuable assistance which he has received from him, especially in connection with the Central Provinces' Land Revenue and Tenancy Bills now before the Legislative Council.

I have the honor to be,

Sir,

Your most obedient Servant,

A. U. FANSHAWE,

Asst. Secretary.

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TO THE

Report on the Administration of Civil Justice in the Central Provinces, during 1880.

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No. 236.

FROM

THE REGISTRAR,

JUDICIAL COMMISSIONER'S COURT,

Central Provinces.

To

THE SECRETARY TO THE CHIFF COMMISSIONER,

Central Provinces.

Dated Nagpur, the 11th February 1881.

SIR,

I have the honor to submit the Judicial (Civil) Statements* for the year 1880, with the following remarks :—

Prescribed.	*Additional.*
B 1.—Tribunal Statement.	I.—Description value.
B 6.—Number and description of suits.	II.—Trial.
B 7.—Value of suits.	III.—Execution.
B 8.—Result of trials.	IV.—Appeal.
B 9.—Appeals	V.—Process.
B 10.—Execution of decrees.	
B 11.—Juries and Assessors.	

A.—THE TRIBUNALS, B 1.

	1879.	1880.
Court of the Judicial Commissioner	1	1
Courts of the Commissioner	4	4
Court of the Additional Commissioner	1	1
Courts of the Deputy Commissioner	18	18
Courts of the Assistant Commissioner	36	36
Courts of the Tahsildar	51	51
Courts of the Naib-Tahsildar	30	34
Total ...	141	145
Courts of Small Causes in Cantonments	4	4
†Courts of Small Causes in Nagpur and Jubbulpore	2	2
Grand Total ...	147	151

2. The number of Civil Courts in these Provinces open at the close of 1879 and 1880, respectively, are compared in the margin.

† In each of the Courts of Small Causes of Nagpur and Karaptee, the Registrar sits as a separate Judge or Court.

Increase and decrease in Courts.

3. The additions to the strength of the Courts made in the course of the year were the appointment of an extra Naib Tahsildar to the Simga Tahsil of the Raipur district and the conferment of Civil powers upon the Naib Tahsildars of Nagpur, of Damoh and of Mul in the Chanda district.

Relief to Courts of the Tahsildar.

4. The appointment of an Extra Assistant Commissioner to the Sambalpur district was foreshadowed in last year's report. Despite the aid thus afforded to him, the Deputy Commissioner of Sambalpur represents that the work is more than the judicial officers can properly deal with. He asks for the appointment of a Judicial Naib Tahsildar for Sambalpur. The figures which he adduces in support of his argument do not quite bear him out, for the Civil suits in Betul and Chhindwara exceed the suits in Sambalpur, and the strength of the Courts in those districts is not greater but less. No complaints of the inadequacy of the establishment come from Betul or Chhindwara. The real difficulty with which the Deputy Commissioner of Sambalpur has to contend, is the Uriya language, which is not well understood by the Courts. In every Court at Headquarters the Deputy Commissioner writes "the services of an Interpreter are required when parties and witnesses are examined." Naturally much time is thus consumed and judicial work cannot be promptly disposed of. The matter has been made the subject of a reference by the Officiating Judicial Commissioner to the Chief Commissioner.

5. Bilaspur is like to Sambalpur in its difficulties and proposed remedies. Last year the Naib Tahsildar of Bilaspur was transferred to Mungeli, as the headquarter staff were lightly worked, while the Tahsildar of Mungeli was overworked.

The Deputy Commissioner now urges that another Naib Tahsildar shall be posted to Bilaspur. It does not appear however that the Tahsildar of Bilaspur has so much work as the Tahsildars of Seoni, Betul and Wardha. The difficulty seems in reality to lie rather in the slow disposal of judicial business (as in the Sambalpur Courts) than in the excess of litigation. "Owing to the extreme ignorance of the people of this district," the Deputy Commissioner writes, "and their extraordinary mendacity and liability to be suborned, it is absolutely necessary to subject them to a long, searching and patient cross examination before the truth can be elicited. Hence I find more time is needed here than elsewhere in investigating cases."

6. Bilaspur and Sambalpur are the districts of these Provinces lying the most remote from civilising influences. It is only within the last four or five years that the uses and powers of the Courts have come to be fully realized by the people, and the result has been a sudden rise in the number of suits, which comes like a surprise upon the Courts. It is not to be expected that the increase will continue in the same proportions. In the meantime it does not seem that the strength of the Courts in these districts forms any exception to the general report given for the rest of the Provinces, that with some slight alterations needed in the distribution of suits the judicial staff is quite equal to the work to be done.

7. The Deputy Commissioner of Bilaspur notes in regard to two of his officers that they are what are known as "Plaintiffs' Judges and seem decidedly "popular with the money and grain lending classes." Similar experiences teach that an increase in litigation is sometimes due to a purely local and temporary stimulus. An additional Court if granted may have ere long to be closed as was the case with the Court of the additional Tahsildar of Sihora. In like manner it was found necessary at the beginning of the year to close the appellate Courts of the Assistant Commissioners of Harda and Pachmarhi for reasons set forth in the Report of 1879. The result has fulfilled the anticipations then expressed, in a considerable decrease in the number of appeals in the Hoshangabad district.

Mukhtyars and petition writers.

8. The increase or decrease of litigation is sometimes attributed to the presence, behaviour or absence of pleaders, mukhtyars and petition writers. Thus the Deputy Commissioner of Wardha writes that unnecessary institutions of suits in that town are due to the fact that pleaders and petition writers are numerous. The Deputy Commissioner of Raipur and the Deputy Commissioner of Bilaspur have also some remarks to make on the subject.

The former writes:—

> "Special care has been taken to exclude from the Courts those curses of litigation—professional *mukhtars*, but I still not unfrequently come across cases in which "recognised agents" have been admitted in Subordinate Courts who would not have dared to put in an appearance before myself. The difficulty in dealing with professional *mukhtars* is this, mahajans and malguzars cannot often appear in person in our Courts, the former are otherwise engaged, and the latter are generally quite ignorant of all procedure and consider personal attendance in Court as derogatory to their dignity. Hence the employment of *mukhtars*, some of them respectable enough, if not judged by too high a standard, but the majority utterly unscrupulous, aiming only at gaining their master's causes by fair means or foul and sufficiently shrewd to steer clear the meshes of the law. Much good might be done if Courts were to report from time to time suspicious cases of dishonest conduct on the part of *mukhtars* who might after one or two warnings be forbidden to take up cases altogether."

The Deputy Commissioner of Bilaspur describes the professional mukhtars as loitering about the Courts and as being "at the bottom of most of the frauds perpetrated in the district;" and the Deputy Commissioner of Narsinghpur has also a heavy indictment against them. The Officiating Judicial Commissioner has given the matter a good deal of attention during the year. He has pointed out that any unauthorized person who really acts as a professional mukhtar, *i. e.* who is not merely a permanent servant of one master, but hires himself out to any one who chooses to employ him, brings himself within reach of the penalties of the Legal Practitioner's Act (XVIII of 1879). In one instance which occurred in his own Court, the penalty was enforced. In cases where the mukhtyar merely acts as the recognised agent of a single employer, the Officiating Judicial Com-

missioner has reminded the Courts that the power of excluding unqualified persons lies in their own hands under the terms of Notification No. 3685, dated 3rd September 1878, issued in accordance with Section 37 of Act X. of 1877. It was laid down by this Court so far back as 1870 that persons employed exclusively for litigation were to be deemed unfit to appear as recognized agents. Native Judges are sometimes timid in their action as regards these agents, and the course suggested by the Deputy Commissioner of Raipur might therefore well be inculcated on the Subordinate Courts of every district. At the same time, a wholesome check might be set on the too general employment of mukhtars (as both the Deputy Commissioner of Wardha and the Deputy Commissioner of Narsinghpur point out) by requiring the personal attendance of parties in cases where it is not satisfactorily shown that their appearance is either impossible or highly inconvenient.

9. The mischief wrought by the needy petition writers, who till lately thronged the precincts of every Court in the Province, also won the notice of the Officiating Judicial Commissioner. Circular No XXVI of 1880 was directed against this evil. It is satisfactory to learn from the district reports that the rules framed for the exclusion of unqualified and irresponsible writers from the neighbourhood of the Courts have been everywhere put in force to the advantage of the public.

10. With regard to the action of pleaders in multiplying or needlessly prolonging litigation, the Officiating Judicial Commissioner is of opinion that this view of their influence is often exaggerated and overstated, although it is to be feared that some touting goes on. The fact is that, as in the case of mukhtars so with the local Bar, the control of their behaviour rests very much in the hands of the Judges before whom they appear. If the Judge is weak, and listens to every application, however groundlessly made, and to every argument, however foolish, pleaders will often take advantage of his pliant humour, and waste the time of the Court at their pleasure. If, on the other hand, he refuses to countenance any slovenliness in procedure or address, the tone of the Bar will improve, and he will find the presence of good and honest pleaders an assistance rather than a hindrance. Thus the Deputy Commissioner of Wardha attributes the decrease of appeals in his Court partly to the fact that he endeavoured to impress on the Bar that it was "not professional to advance pleas in appeal which they must know to be invalid or untrue." The Deputy Commissioner of Raipur also speaks well of the pleaders in his Court, and Mr. Logan records his unhesitating opinion that the standard of professional respectability and excellence among the members of the Bar is improving year by year. The Officiating Judicial Commissioner is not prepared to say that he has observed any great progress.

Local Bar.

11. The local Bar consists of four Barristers-at-law, two of whom reside at Jubbulpore, one at Nagpur, and one at Raipur, two Attorneys-at-law and sixty-seven Pleaders, whose local distribution is ordinarily as follows :—

Town.	No.	Town.	No.
Nagpur	13	Hoshangabad	8
Bhandara	3	Harda	3
Wardha	7	Narsinghpur	8
Arvi	1	Burhanpur	1
Jubbulpore	11	Khandwa	2
Saugor	5	Raipur	2
Damoh	2		
Seoni	1		

At the examination of local candidates for admission as Pleaders held at Nagpur in October under Act XVIII. of 1879, only one candidate was passed by the Board of Examiners. He is in Government service and has not commenced to practise therefore.

Statement showing the number of Suits instituted and re-instituted in the Civil Courts of the Central Provinces, from 1862 to 1880.

Year.	Nagpur. District.	Nagpur. City Small Cause Court.	Nagpur. Cantonment Small Cause Court, Kamptee.	Nagpur. Total	Chanda.	Bhandara.	Wardha.	Balaghat.	Jubbulpore. District.	Jubbulpore. City Small Cause Court.	Jubbulpore. Cantonment Small Cause Court.	Jubbulpore. Total.	Saugor. District.	Saugor. Cantonment Small Cause Court.	Saugor. Total.	Seoni.	Damoh.	Mandla.	Hoshangabad.	Betul.	Nimar. District.	Nimar. Cantonment Small Cause Court, Asirgarh.	Nimar. Total.	Narsinghpur.	Chhindwara.	Raipur.	Bilaspur.	Sambalpur.	Upper Godavari.	Grand Total.
1862..	3,349	1,622	1,612	6,583	667	1,750	658	...	1,619	315	504	2,438	2,313	601	2,914	806	760	369	2,016	1,058	...	...	...	2,121	705	1,326	163	345	7	24,666
1863 ..	3,020	1,436	2,338	6,794	687	1,634	592	...	1,385	1,321	686	3,392	2,380	572	2,952	973	729	201	2,202	1,142	...	...	...	2,691	1,038	820	222	201	35	26,305
1864 ..	2,647	1,692	1,706	6,045	716	1,692	490	...	1,230	1,683	612	3,525	2,109	1,161	3,270	1,280	859	354	3,183	1,288	4,398	...	4,398	2,542	870	1,221	707	275	42	32,697
1865 ..	2,974	1,288	806	5,068	649	2,076	927	...	1,734	1,739	455	3,928	2,741	709	3,450	1,343	1,377	563	5,887	1,156	3,854	...	3,854	3,558	1,303	1,573	1,781	695	66	39,254
1866 ..	3,286	2,820	1,017	6,623	1,021	2,420	1,216	...	1,405	1,636	481	3,522	2,988	720	3,708	1,185	1,289	421	5,279	1,194	7,561	...	7,561	3,416	1, 345	1,379	2,896	594	163	45,250
1867 ..	3,390	3,289	1,323	8,002	1,219	2,934	1,893	303	1,685	1,662	296	3,643	2,724	389	3,113	1,263	1,709	380	5,427	1,979	5,541	27	5,568	3,272	1,990	1,406	3,762	592	89	48,544
1868...	4,566	4,060	2,083	10,709	1,636	2,798	3,057	810	1,699	2,052	541	4,292	3,612	559	4,171	1,394	1,631	401	5,494	2,732	6,508	244	6,752	4,125	2,770	1,659	3,466	538	125	58,558
1869...	5,529	4,415	3,454	13,398	2,006	2,814	3,724	925	1,441	1,984	514	3,939	4,052	835	4,887	1,387	1,760	528	5,068	2,354	7,854	293	8,147	4,535	3,340	1,982	1,298	886	159	63,137
1870...	5,648	4,880	3,407	13,935	2,587	3,596	4,277	727	1,725	2,435	445	4,605	4,003	692	4,695	2,185	1,693	656	6,750	2,702	7,689	165	7,854	5,657	4,027	3,123	1,866	959	289	72,183
1871...	6,761	5,300	2,594	14,661	2,937	3,507	6,169	1,236	2,278	2,499	463	5,240	3,132	699	3,831	2,619	1,783	569	6,695	3,207	8,551	118	8,669	6,385	3,616	3,194	2,381	1,112	286	78,068
1872...	6,060	5,061	2,779	13,900	2,072	3,122	5,485	989	2,313	2,400	511	5,224	2,652	672	3,324	1,904	1,343	679	7,219	3,249	9,572	174	9,746	5,593	3,537	2,641	2,561	1,087	277	73,955
1873...	6,315	5,700	2,428	14,452	2,161	2,663	6,051	1,191	1,985	2,254	437	4,676	2,979	432	3,411	1,692	2,669	661	7,918	3,278	7,808	147	7,955	6,369	3,633	2,657	2,081	1,427	252	74,591
1874...	6,904	6,104	2,837	15,845	2,039	2,707	6,839	1,319	2,106	2,493	445	5,044	3,328	302	3,630	1,450	1,744	690	7,522	2,983	7,480	90	7,570	6,265	3,729	3,662	2,085	1,337	179	76,639
1875...	7,310	5,993	2,885	16,188	2,235	2,812	7,061	1,508	2,012	2,278	421	4,711	3,381	281	3,662	1,863	1,541	630	7,927	3,225	8,208	62	8,270	5,756	4,464	3,358	2,043	1,354	169	78,777
1876...	9,152	7,465	2,830	19,447	3,175	3,190	7,159	1,581	2,205	2,037	430	4,672	3,719	399	4,018	1,661	1,477	624	8,331	3,396	8,454	84	8,538	4,967	4,391	4,838	2,885	1,812	108	86,265
1877...	10,244	7,401	3,189	20,834	3,085	3,681	6,400	1,795	2,615	2,219	456	5,290	4,120	300	4,480	1,841	1,940	772	8,344	3,216	7,469	97	7,566	5,146	3,969	5,326	2,868	1,784	137	88,484
1878...	9,105	8,301	3,493	20,899	2,754	3,074	4,549	2,300	2,427	2,508	454	5,389	3,810	297	4,107	1,815	1,500	557	7,175	2,516	6,436	57	6,493	4,351	3,200	4,790	2,576	1,738	...	79,783
1879...	10,411	7,844	2,939	21,194	3,175	3,668	5,641	1,339	2,690	2,801	553	6,044	3,284	190	3,474	2,345	1,640	847	8,372	3,268	7,674	69	7,743	4,604	3,429	5,774	2,481	2,833	...	87,862
1880...	10,900	8,402	2,511	21,813	3,768	4,541	6,591	1,446	2,790	2,664	399	5,853	3,241	223	3,464	2,361	1,751	646	7,082	3,069	7,736	66	7,802	4,568	3,844	6,332	3,552	2,893	...	91,379
Graded and number of Courts at the close of 1879.																														
	Courts of the Deputy Commissioner.			1	1	1	1	1	1				1			1	1	1	1	1	1			1	1	1	1	1	...	18
	Courts of the Assistant Commissioner ...			2	3	2	2	1	3				3			1	1	1	4	1	3			2	1	3	2	1	...	36
	Courts of Tahsildar.			5	4	2	3	2	3				4			2	2	2	4	2	2			3	2	4	3	2	...	51
	Courts of the Naib Tahsildar ...			4	2	2	3	...	3				3			1	1	...	4	2	2			1	2	3	1	1	...	34
	Small Cause Courts and Registrar's Courts			4	...	...	...	...	2				1			...	...	...	...	..	1			...	...	...	...	...	...	8
	Total ...			16	10	7	9	4	10				12			5	5	4	13	6	10			7	6	11	7	5	...	147

Year.	Holidays.		
	...	...	... 366 days.
	Deduct holidays.		
Summer vaccation from 15th May to 15th June	...	31	
Sundays in 11 months	...	47	
Civil Courts casual holidays	...	45	123
	Open days	...	243

12. During the year the Courts were open on 243 days as per margin.

B.—Extent and Character of Litigation.

Increase and decrease in litigation.

13. The annual increase in litigation which the advance of these Provinces in civilization and prosperity carries with it and which is only checked by a general failure of crops such as occurred in 1878, shows itself in the returns for 1880, in a rise of 3,517 institutions above the figures for 1879. The increase in the numbers of suits instituted is most marked in the districts of Wardha, Nagpur, Raipur and Bhandara. On the other hand, Hoshangabad stands alone with a large decrease in institutions, the trifling decrease in Saugor and Narsinghpur being explained away in the reports for those districts.

I.—Increase and Decrease of Litigation.

Comparative table of suits instituted and reinstituted.

14. The following table shows the fluctuations of business during the last five years in the Courts at each locality where they are established:—

Locality of Courts.		Number of suits instituted and re-instituted.				
		1876.	1877.	1878.	1879.	1880.
Nagpur ...	Nagpur ...	2,595	2,790	1,919	1,986	2,237
	Court of Small Causes, Nagpur ...	7,465	7,401	8,301	7,844	8,402
	Total ...	10,060	10,191	10,220	9,830	10,639
	Kamptee ...	2,830	3,189	3,493	2,939	2,511
	Katol ...	2,703	3,148	1,849	1,960	1,882
	Ramtek ...	2,335	2,670	2,143	1,793	2,150
	Saoner ...	...	...	1,358	3,055	2,753
	Umrer ...	1,519	1,636	1,836	1,617	1,878
Chanda ...	Chanda ...	805	832	748	646	866
	Warora ...	1,412	1,031	670	910	1,292
	Mul ...	426	457	466	674	681
	Brahmapuri ...	532	765	702	839	867
	Sironcha Sub-division ...	108	137	168	106	125
Bhandara ...	Bhandara ...	1,279	1,568	1,374	2,097	2,758
	Tirora ...	1,337	1,302	1,237	996	1,178
	Sakoli ...	574	811	463	575	605
Wardha ...	Wardha ...	3,923	2,947	1,960	2,680	3,188
	Arvi ...	1,917	1,987	1,451	1,396	1,712
	Hinganghat ...	1,319	1,466	1,138	1,565	1,691
Balaghat ...	Burha ...	1,443	1,666	2,131	1,214	1, 318
	Behir ...	138	129	169	125	128
Jubbulpore ...	Jubbulpore ...	920	1,037	874	736	1,093
	Court of Small Causes, Jubbulpore ...	2,037	2,219	2,508	2,801	2,664
	Do. do. Cantonment ...	430	456	454	553	399
	Total ...	3,387	3,712	3,836	4,090	4,156
	Murwara ...	341	421	467	507	475
	Sihora ...	944	1,157	1,086	1,447	1,222

Locality of Courts.		Number of suits instituted and re-instituted.				
		1876.	1877.	1878.	1879.	1880.
Saugor ...	Saugor ...	1,729	2,092	1,846	1,614	1,318
	Court of Small Causes, Saugor ...	299	300	297	190	223
	Kurai ...	775	804	752	725	947
	Rehli ...	936	1,008	903	643	714
	Banda ...	279	286	309	302	267
Damoh ...	Damoh ...	1,156	1,469	1,103	1,294	1,255
	Hatta ...	321	471	397	346	496
Seoni ...	Seoni ...	1,229	1,390	1,257	1,565	1,580
	Laknadon ...	432	451	558	780	784
Mandla ...	Mandla ...	506	565	465	705	646
	Ramgarh ...	118	207	92	142	154
Hoshangabad.	Hoshangabad ...	2,349	3,054	2,067	2,400	2,276
	Seoni ...	897	934	849	1,076	691
	Harda ...	3,621	2,841	2,627	3,289	2,682
	Sohagpur ...	1,464	1,515	1,314	1,424	1,304
	Pachmarhi Sub-division ...	...	...	318	183	129
Betul ...	Betul ...	2,030	1,964	1,769	2,112	1,976
	Multai ...	1,366	1,252	747	1,156	1,093
Narsinghpur.	Narsinghpur ...	2,314	2,288	2,243	2,294	2,006
	Chawarpatha ...	165	...	...	...	...
	Gadarwara ...	2,488	2,858	2,108	2,310	2,562
Nimar ...	Khandwa ...	4,974	4,410	2,817	4,779	5,038
	Burhanpur ...	2,722	2,432	3,276	2,469	2,698
	Mortakka ...	758	627	343	426	...
	Court of Small Causes, Asirgarh ...	84	97	57	69	66
Chhindwara.	Chhindwara ...	2,993	2,785	1,753	1,958	2,440
	Saosar ...	1,398	1,184	1,447	1,462	1,404
Raipur ...	Raipur ...	2,788	3,023	2,687	3,292	3,025
	Drug ...	479	700	854	980	1,460
	Dhamtari ...	620	617	648	546	716
	Simga ...	946	986	601	956	1,131
Sambalpur ...	Sambalpur ...	1,151	961	1,058	1,142	1,722
	Bargarh ...	661	823	680	1691	1,171
Bilaspur ...	Bilaspur ...	1,727	1,283	835	1,027	1,214
	Mungeli ..	749	579	666	1,002	1,788
	Seorinarain ...	409	1,006	1,075	452	550
Total ...		86,265	88,484	79,783	87,862	91,379

15. Every year some attempt is made to account for local fluctuations in litigation upon some such general ground as the goodness or badness of the harvest. It is obvious, however, that over such a large area as the Central Provinces, embracing as it does districts of the most opposite economic and physical conditions, no single explanation will everywhere apply. Districts like Chhindwara, Seoni and Mandla are not open to such influences as affect Jubbulpore, Nagpur and Raipur. It may be useful to point out what are the main influences to be had in view when examining the tabular results of the year.

Causes of fluctuation.

16. In the first place, it must be remembered that the export trade of these Provinces has a great effect upon the chain of transactions between merchants, middlemen and producers out of which springs a large portion of the civil business of our Courts. The slackness or briskness of this trade acts directly upon the litigation of those districts which lie along the main export lines, to wit, the Nerbudda valley, the Chhattisgarh trade route (with Nagpur as a depot) and the Wardha valley.

Export trade.

17. In the next place it must be noted that the briskness or dulness of the export trade does not always coincide with the goodness or badness of the harvest. The beneficial effects of a good harvest are often modified by a low demand for export. It is only in districts lying apart from the main trade routes that the effect of harvests upon litigation is undisguised. The Deputy Commissioner of Chhindwara has given a table of institutions for four years which shows that the number of suits brought there is always highest in the first and third-quarters of the year, when the *rabi* and *kharif* crops are coming on. On the other hand, in a district such as Nagpur and Raipur the good harvests of 1880 produced a different result from what was effected in the Courts of the Nerbudda valley, and the connexion between crops and suits is not in these instances so plain.

Harvests.

The action which the export trade exerts upon litigation is clearly set out in the reports of the Deputy Commissioners of Narsinghpur and Raipur. The former says :—

> " The good harvests (of 1880) enabled cultivators to repay their seed grain with ease. But as *prices were lower,* they were not so well able to repay grain debts overdue, for grain being cheap was not willingly accepted and the money value of the grain at the stipulated date of repayment of the grain was demanded. Again the slack demand for export and the low prices ruling in Bombay caused loss to the grain dealers, who were obliged to call upon their debtors for payment."

The latter says :—

> " Crops were good and prices easy thoughout the year. The high prices obtained in previous years for grain exported had kindled among traders an unhealthy excitement which caused legitimate trading to degenerate into mere gambling. Crops were bought up while still on the ground and changed hands a dozen times before they had any real existence at all. When, however, it was found that prices *ruled low* towards Nagpur and left no margin of profits to exporters, there was a general collapse. Among petty traders there was something little short of a panic . . . There was a general rush to the Courts, each one trusting to the chances of law to get out of the matter as best he could."

These extracts illustrate the fact that a good harvest unaccompanied by a good demand for export may cause an increase in suits through the action of lowered prices.

18. In the third place, each judicial year takes a certain portion of its character as an inheritance from the conduct of the usurers during the years preceding it. When a harvest fails and the cultivators cannot pay their creditors, the latter secure themselves either by taking written acknowledgments or by suing out decrees. Both bonds and decrees are held over for another year. When a prosperous season comes, the number of suits instituted in any district will to some extent depend on whether bonds or decrees were the more largely obtained

Action of money lenders.

in the preceding seasons. Thus the Deputy Commissioner of Nagpur reports that the increase in institutions in 1880 was principally in the class of suits for money due upon written obligations, and explains this by saying—

"The money lenders finding that nothing could be got from their debtors during the past few years of scarcity, have not pressed their claims in Court, but have been satisfied with taking written acknowledgments of their debts from them, on which now that better times have returned, they are suing."

In the same way in the Bhandara and Seoni districts the increase in suits was mostly due to the bringing forward of written obligations which had been held back in less favorable years.

In the Hoshangabad district again the money lenders seem to have adopted the opposite course. "In 1879 the total litigation," says the Deputy Commissioner, "reached a higher figure than in any previous year." On the other hand, the total of litigation in 1880 is lower than that of seven previous years "excluding the bad year of 1878." He goes on to explain that last year litigation took a different channel—"suitors being more anxious to enforce satisfaction of decrees already obtained than to risk the chances of new decrees."

Shifting of trade centres.

19. In the fourth place, local fluctuations are sometimes due to the shiftings of centres of trade or the growth of one industry to the prejudice of another. Thus the Spinning Mills of Nagpur have injured the prospects of the Koshtis of Chanda. "With a falling trade these indigenous weavers," writes the Deputy Commissioner, "are becoming impoverished; and as a natural consequence their creditors seek to recover, as best they can."

At the same time the town of Warora in the Chanda district, is drawing to it trade from the Hinganghat tahsil of the Wardha district. The increase of institutions in the Chanda district, and the fact that institutions in Hinganghat have not increased this year *pari passi* with the number of suits in the other tahsils of the Wardha district are probably to be explained in this way.

Characters of Judges.

20. In the fifth place, the characters of Judges have more to do with the increase and decrease of litigation than would at first be supposed. Especially is this the case in districts where the people are timid and unaccustomed to the Courts. The Deputy Commissioners of Chanda, Damoh, Bilaspur, Mandla and Betul all concur in ascribing the fluctuations in institutions in particular Courts to changes in the presiding officers. The Deputy Commissioner of Mandla goes so far as to attribute the whole of the decrease of 199 suits in his district to the removal of a certain Tahsildar.

II.—Value of Suits.

Relative values of suits disposed of.

21. The relative values of suits disposed of in the years 1879 and 1880 are compared in the following table:—

Grades of value not exceeding.		Number of suits disposed of in 1879.	Number of suits disposed of in 1880.	Percentage of total suits.		Average value.	
				1879	1880.	1879.	1880.
Rupees	5	12,902	12,596	14·7	13·8	3	3
"	20	31,852	33,475	36·3	36·9	12	12
"	50	23,670	25,493	27·0	27·9	31	32
"	100	10,112	10,413	11·6	11·4	74	70
"	300	6,721	6,845	7·7	7·5	168	163
"	500	1,123	991	1·4	1·1	391	398
"	1,000	786	685	1·5	1·4	674	690
"	5,000	447	506			1,882	2,116
"	10,000	37	43			6,299	6,825
Exceeding Rupees	10,000	27	20			27,172	21,955
Total ...		87,677	91,067	100·	100·	...	...

22. The only variation worthy of note under this head is the decrease in the percentage of suits of the values of Rs. 5 and under. This however is counterbalanced by an increase in the percentage of suits of values between Rs. 5 and Rs. 50. As the bulk of litigation is made up of petty suits, the general increase of course manifests itself most markedly here.

Observations on value of suits by districts.

23. The following table presents the subject in detail according to districts:—

Percentages of suits (disposed of) of the several classes of value.

		Not exceeding Rs. 5.	Not exceeding Rs. 20.	Not exceeding Rs. 100.	Not exceeding Rs. 500.	Exceeding Rs. 500.
Nagpur	1879	18·1	37·3	36·5	6·9	1·2
	1880	15·6	37·2	39·0	7·1	1·1
Chanda	1879	12·2	41·4	38·2	7·6	·6
	1880	10·8	43·7	39·0	6·1	·4
Bhandara	1879	14·5	36·3	41·0	7·2	1·0
	1880	11·0	37·6	42 5	8·0	·9
Wardha	1879	10 2	36·2	40·3	12·0	1·3
	1880	8·7	33·0	44·9	12·3	1·1
Balaghat	1879	15·3	36·8	40·0	6·6	1·3
	1880	13·3	36·3	41·5	7·8	1·1
Jubbulpore	1879	13·1	35·8	38·8	10·2	2·1
	1880	12·1	34·7	42·2	8·9	2·1
Saugor	1879	12·4	36·2	39·2	9·7	2·5
	1880	10·9	37·8	38·8	10·9	1·6
Damoh	1879	11 4	36·4	41·3	9·8	1·1
	1880	13 9	39·3	40 5	5·4	·9
Seoni	1879	14·5	37·3	39·0	7·9	1·3
	1880	15·6	37·8	38·3	7·4	·9
Mandla	1879	19·1	39·0	34·4	6·3	1·2
	1880	19·9	33·9	39·4	5·9	·9
Hoshangabad	1879	10·2	29·2	42·6	15·1	2·9
	1880	9·2	29 9	42·0	15·3	3·6
Betul	1879	17·4	34·2	41·2	6·6	·6
	1880	15·6	37·7	39·5	6·1	1·1
Narsinghpur	1879	7·1	30·9	45·8	13·4	2·8
	1880	5·6	32·1	47·4	12·9	2·0
Chhindwara	1879	11·7	41·2	40·9	5·5	·7
	1880	12·2	40·2	41·1	6·0	·5
Nimar	1879	15·9	37·5	37·7	7·9	1·0
	1880	15·2	38·2	38·2	7·5	·9
Raipur	1879	17·7	39·0	33·7	8·1	1·5
	1880	20·1	38·4	32·6	7·3	1·6
Sambalpur	1879	21·2	37·2	33·3	7·6	·7
	1880	20·6	36·4	33·7	8·3	1·0
Bilaspur	1879	19·1	41·0	30·8	7·7	1·4
	1880	23·6	43·8	26·6	5·4	·6

III.—Description of Suits.

Comparison of numbers and proportion of suits, 1879-80.

24. The following table, comprising the number and proportion of suits of the principal kinds during 1879 and 1880, is prepared from Statement No. I:—

	1879.		1880.	
	Number of suits.	Percentage of total suits.	Number of suits	Percentage of total suits.
Money due on bond or other contract ...	68,359	78·0	79,515	87·3
Recovery of moveable property or value thereof ...	11,492	13·1	3,870	4·3
Damages	2,431	2·8	2,246	2·5
Immoveable property	3,669	4·2	3,844	4·2
Rent not falling under the Rent Law	835	·9	738	·8
Other claims	891	1 0	853	·9
Total ...	87,677	100·	91,066	100·

Distribution of suits under sub heads.

25. Under the several sub-heads of contact, the returns of the two years are contrasted below ;—

Sub-heads of suits for money due for breach of contract.	1879.		1880.	
	Number of suits.	Percentage of total suits.	Number of suits.	Percentage of total suits
Written obligation	39,506	45·1	43,215	47·5
Unwritten obligation	14,944	17 0	15,985	17·6
Account stated	1,593	1·8	2,075	2·2
Money received or paid	768	·9	639	·7
Goods sold and delivered	9,721	11·1	9,571	10·5
Breaches of contract not included above	1,827	2·1	8,030	8·8
Total ...	68,359	78·0	79,515	87·3

26. The statistics of each district for 1879 and 1880 for the main classes of suits are given in the following table :—

Classification of suits under main heads.

Districts (Small Cause Court figures being included.)	Total suits disposed of.	For money due. On written obligation. Number.			For money due. On written obligation. Percentage of suits disposed of.			For money due. On unwritten obligation. Number.			For money due. On unwritten obligation. Percentage of suits disposed of.			For money due. For goods sold and delivered. Number.			For money due. For goods sold and delivered. Percentage of suits disposed of.			For recovery of moveable property or value thereof. Number.			For recovery of moveable property or value thereof. Percentage of suits disposed of.			For damages. Number.			For damages. Percentage of suits disposed of.			For immoveable property. Number.			For immoveable property. Percentage of suits disposed of.		
		1880	1880	1879	1880	1880	1879	1880	1880	1879	1880	1880	1879	1880	1880	1879	1880	1880	1879	1880	1880	1879	1880	1880	1879	1880	1880	1879	1880	1880	1879	1880	1880	1879
Nagpur ...	21,657	12,937	59·7	53·0	3,331	15·4	14·7	2,741	12·7	14·7	673	3·1	9·0	255	1·2	1·7	506	2·3	2·6															
Chanda ...	3,676	2,152	58·5	59·8	314	8·6	9·7	359	9·8	8·3	97	2·7	11·2	71	1·9	1·4	77	2·3	1·5															
Bhandara ...	4,506	2,701	59·9	52·2	697	15·5	16 3	249	5·5	6·4	70	1·6	13·5	124	2·8	2·8	117	2·6	3·2															
Wardha ...	6,630	3,498	52·7	48·5	990	14·9	17·0	564	8·5	9·3	401	6·0	9·5	100	1·5	2·1	191	2·9	2·9															
Balaghat ...	1,400	652	46 6	35·8	305	21·8	29·6	88	6·3	4 6	49	3·5	18 9	58	4·1	6·1	40	2·8	1·5															
Jubbulpore ...	6,156	2,583	42 9	39·9	1,259	20 4	19·1	841	13·7	14·6	180	2·9	6·1	147	2·4	2·7	488	7·9	6 5															
Saugor ...	3,437	1,591	46·2	41·8	522	15 2	14·1	306	8·9	9·3	181	5 3	17·1	60	1·7	1·8	161	4·7	6·8															
Damoh ...	1,736	789	45·4	44·6	339	19·5	17·3	134	7·7	9·0	70	4·0	13·5	36	2·1	2·5	151	8·7	9 0															
Seoni ...	2,370	833	35 1	37·4	614	25·9	23·7	233	9·8	8·4	109	4 6	19·6	103	4·3	4 4	47	2·0	3·0															
Mandla ...	649	169	26 0	21·8	173	26·7	39·0	69	10·6	9·8	40	6·1	10 9	107	16·5	8·8	17	2 8	1·9															
Hoshangabad ...	7,074	2,818	39·8	40·4	1,288	18·2	16·4	439	6·2	8·1	179	2·5	21·7	75	1·1	1·5	372	5·3	4·5															
Betul ...	2,996	1,223	40·8	36·2	822	27·4	25·4	239	8·0	7·9	148	4·9	17·6	80	2·7	3·6	74	2·5	4·3															
Narsinghpur ...	4,569	1,965	43·0	52·2	609	13·3	11·7	173	3 8	5·8	312	6 8	11·0	37	·8	1·3	405	8·9	9·9															
Chhindwara ...	3,731	2,066	55·4	53·1	566	15·2	15 3	286	10·5	9·3	95	2·5	11·7	83	2·2	2 5	161	4·4	3·1															
Nimar ...	7,703	4,055	52·6	52·0	1,305	16 9	17·0	1,182	15·3	14·9	357	4 6	6·7	136	1·8	1·2	135	1·8	2·5															
Raipur ..	6,384	1,634	25·6	27·2	1,456	22·8	20·9	1,020	16·0	12 9	443	6·9	22·6	305	4·8	6·1	304	4·8	3·2															
Sambalpur ...	2,875	950	33·0	30·6	421	14·6	11·8	178	6·2	10 2	218	7·6	13·9	221	7·7	8 0	418	14·5	11·1															
Bilaspur ...	3,517	599	17·0	17·6	974	27·7	20·9	470	13·4	8·5	248	7·0	26 4	248	7·0	8·7	177	5·0	6·1															
Total ...	91,066	43,215	47·4	45·1	15,985	17·6	17·0	9,571	10·5	11·1	3,870	4·2	13·1	2,246	2·4	2·8	3,844	4·2	4·2															

27. Suits on written obligations maintain their numerical superiority. They have increased with the increase in litigation, and so have suits on account stated. On the other hand, suits on unwritten obligations have remained almost stationary. It is not safe to draw from this an inference that the taking of written security is becoming more common. The fact may be due to that bringing forward of written obligations which was referred to above as one of the features in the year's litigation of the Nagpur, Bhandara and other districts. With regard to "accounts stated" there is reason to believe that in some districts this form of evidence of an obligation to pay money is growing more in fashion. On this subject the Deputy Commissioner of Chanda writes :—

Written obligations.

"The practice of adjusting accounts of money advanced and goods delivered and sold on parol agreement, and making memoranda of such adjustments in the account books, is daily spreading and taking the place of formal bonds. It recommends itself for these reasons :—

(1). Debt is as secure by its acknowledgment in writing as it would be if a formal bond existed regarding it.

(2). Expense on account of stamp duty is comparatively less.

(3). No legal objection exists to the memoranda being so written and executed if the requirements of the stamp law be fully complied with."

With regard to this third ground, it is to be remarked that every thing depends on the wording of the acknowledgment. If anything beyond the mere acceptance of so much balance as due is imported into the sense, it becomes a question whether the nature of the document is not thereby changed. The matter has formed the subject of correspondence between the Officiating Judicial Commissioner and the Inspector General of Stamps.

28. In this class of suits (on account stated) as in most of the suits for money, the parties are generally money lenders and cultivators. Although the ramifications of trade in these Provinces are many and growing, it is rather curious that the number of suits based on purely commercial transactions are comparatively few. As the Deputy Commissioner of Raipur remarks "trade transactions proper, whether between one mahajun and another, or between mahajun and cultivator, are not as a rule reduced to writing." The promptness of business either does not admit of the formality of written engagements or the confidence born of a long course of dealings with particular persons dispenses with them. In most trading centres, too, such as Nagpur, Hinganghat, Raipur and Jubbulpore, difficulties in the way of business settlements are from time to time adjusted by committees of merchants, who decide the rate of composition for default ; and disputes are thus kept out of the Courts. It is only in times of panic that resort is made to the Courts to any large extent for the enforcement of trading contracts.

Few suits by traders.

29. The prominent part played by money lenders in the Courts and the way in which the figures denoting the fluctuations of any particular class of suits may be affected by the action of a small number of persons is pointed out by the Deputy Commissioner of Narsinghpur, 41 money lenders of Gadawarra brought 921 suits for money during 1880. Of these, 788 were suits against cultivators, and 670 were for values not exceeding Rs. 50. The Deputy Commissioner of Nagpur reports that the increase in suits in 1880 was mainly among those of low value, brought by money lenders against cultivators. The Deputy Commissioner of Chanda is the only officer who in compliance with the directions contained in last year's Report has examined all grain suits and tabulated the results of his enquiry. These show that out of 331 such suits, 244 were brought against cultivators and only 20 against malguzars.

Money lenders.

30. The position occupied by the Indian *baniya* as regards the ryot and the Courts is too well known to make much comment on these facts necessary. Two pertinent observations, however, suggest themselves. The first is that the large number of suits for small sums brought in districts (such as Narsinghpur) where the cultivators are remarkably prosperous, as well as in districts where their prosperity is not so obvious, shows that the spring of the matter lies sometimes as much in the debtor's slowness to pay what he owes, even when he is able to

do so, as in the money lender's avidity to recover. The second is that the opening of a new Court for suits of low value is in most cases mainly a convenience to the money lender, who avails himself of this agency to dun his debtors or to promptly collect debts which he might otherwise have allowed to run.

Suits for immoveables.

31. The decrease in the percentage of suits for moveables is due to the alteration in classification of grain suits which was brought into force in the course of 1879, and was noticed in last year's Report. Suits for immoveable property exhibit the same Provincial percentage. There is an increase in the percentage of such suits in Sambalpur, Balaghat, Hoshangabad and Jubbulpore. The Deputy Commissioner of Sambalpur explains that the majority of the suits arose out of disputes as to field boundaries. The tenants of that district are awaking to the results of the Settlement recently effected there. No explanations are offered for the other districts. With regard to Narsinghpur, which shows the highest percentage after Sambalpur, the Deputy Commissioner remarks :—

"I have examined most of the cases, but without arriving at any one specific reason which is fully adequate to explain the high proportion. Probably, several causes combine to give the result. The value of land is high, as high probably as in Jubbulpore, and somewhat higher than in Hoshangabad. The entries in the settlement misls are not unfrequently, it is alleged, wrong. The people are well off, and can afford to bring their claims, real or supposed, into Court. Lastly, disputes about small portions of the *abadi* or regarding houses in villages appear to be exceedingly common."

Mortgage-deeds.

32. Many of these suits for immoveables are of course brought upon mortgage-deeds. The Deputy Commissioner of Chhindwara notes that in consequence of the restrictions now put upon the sale of land in execution of decrees, money-lenders in that district now prefer to take usufructuary leases from debtors with occupancy rights. He adds that conditional deeds of sale are supplanting the ordinary mortgage form, for the same reason. Agreements to give usufructuary possession of land in default of payment of debt are also more common. The Deputy Commissioner of Hoshangabad notes with regard to decrees given on such agreements that this Court's Circular No. XXIX of 1880 was much needed and will put an end to what was a great hardship for judgment debtors, the difficulty of obtaining an account of profits from the alienee. The attention of the Officiating Judicial Commissioner was also called during the year to the need for greater caution in the issue of foreclosure notices, and the form of notice to be used was modified by Circular No. XXI of 1880.

IV.—Description and Value (together) of Suits.

Relative value of the principal description of suits.

33. The table below shows the relative value of suits of the principal description.

Description of Suits.	Number.	Percentage of					
		Suits not exceeding				Suits above	Total.
		Rs. 5.	Rs. 20.	Rs. 100.	Rs. 500.	Rs. 500.	
Written obligation ...	43,215	3·7	35·2	50·9	9·2	1·0	100·
Unwritten obligation ...	15,985	25·4	45·3	24·3	4·4	·6	100·
Goods sold and delivered ...	9,571	40·9	40·1	16·8	2·0	·2	100·
Moveable property or value thereof ...	3,870	17·6	39·1	35·6	6·8	·9	100·
Damages	2,246	18·1	30·9	40·3	8·6	2·1	100·
Immoveable property... ...	3,844	12·6	22·0	37·3	20·7	7·4	100·

C.—General Distribution and Result of Trial of Civil Suits by Courts of Original Jurisdiction (B. 8 and II.)

I.—Distribution.

Distribution of suits disposed of among different classes of Courts.

34. The following table shows how suits disposed of were distributed among the different classes of Courts in the several districts :—

Total number of Judges.		8	34	51	36	18	4	151
Districts.		Small Cause Courts.	Naib Tahsildars.	Tahsildars.	Assistant Commissioner.	Deputy Commissioners.	Commissioners.	Total.
Nagpur ...		10,893	5,233	4,198	1,328	5	...	21,657
Chanda ...		...	882	1,907	880	7	...	3,676
Bhandara ...		...	2,137	847	1,509	13	...	4,506
Wardha ...		...	4,176	2,026	423	5	...	6,630
Balaghat ...		...	...	1,007	390	3	...	1,400
Jubbulpore ...		3,322	1,045	1,278	500	11	...	6,156
Saugor ...		222	2,062	681	465	7	...	3,437
Damoh ...		...	87	1,333	313	3	...	1,736
Seoni ...		...	454	1,734	164	18	...	2,370
Mandla ...		...	...	447	198	4	...	649
Hoshangabad ...		...	4,247	1,857	955	15	...	7,074
Betul ...		...	1,328	1,439	213	16	...	2,996
Narsinghpur ...		...	1,054	2,934	569	12	...	4,569
Chhindwara ...		...	2,464	701	557	9	...	3,731
Nimar ...		65	4,931	1,370	1,303	34	...	7,703
Raipur ...		...	4,200	1,583	595	6	...	6,384
Sambalpur ...		...	967	594	1,267	47	...	2,875
Bilaspur ...		...	1,435	1,636	442	4	...	3,517
Total ...	1880	14,502	36,702	27,572	12,071	219	1	91,067
	1879	14,182	32,416	29,787	11,083	209	3	87,680
Percentage...	1880	15·9	40·3	30·3	13·3	·2	...	100
	1879	16·2	37·0	34·0	12·6	·2	...	100
	1878	19·1	31·6	33 3	15·8	·2	...	100
	1877	15·4	32·4	35·2	16·5	·5	...	100
	1876	15·1	28·3	36·7	19·5	·4	...	100

35. The following table shows the proportion in which suits of the several grades of value were disposed of by the various classes of Judges :—

Disposal of suits by the various classes of Judges according to value.

Judges.		Registrars of Courts of Small Causes.	Judges of Courts of Small Causes.	Naib Tahsildars.	Tahsildars.	Assistant Commissioners.	Deputy Commissioners.	Total.	Remarks.
Number of Judges.		2	6	34	51	36	18	147	
Salary of Judges.		Rupees 160 and 250.	*Rupees 700 to 1,000.	Rupees 50 to 70.	Rupees 100 to 200.	Rupees 400 to 800.	From Rs. 866 to Rs. 1,833		* Includes the Judge, Asirgarh Cantonment, who receives a Staff allowance of Rs. 200.
Grades of value of Suits.	Total number of suits disposed of.	Percentage of Suits disposed of before each class of Judge.							
Not exceeding Rupees 5	12,596	15·3	3·5	55·1	19·7	6·3	·1	100·	
" " 20	33,475	12·4	4·2	56·0	21·2	6·2	...	100·	
" " 50	25,493	...	16·1	43·3	32·4	8·2	...	100·	
" " 100	10,413	...	13·9	...	62·5	23·4	·2	100·	
" " 300	6,844	...	11·8	...	47·1	40·8	·3	100·	
" " 500	991	...	13·7	...	...	85·5	·8	100	
" " 1,000	685	...	10·4	...	...	88·3	1·3	100·	
" " 5,000	506	...	...	...	...	83·8	16·2	100·	
" " 10,000	43	...	...	...	...	20·9	79·1	100	
" " 1,00,000	20	...	...	...	...	20·0	80·0	100·	
Exceeding " 1,00,000	...	...	...	...	...	...	...	...	
All Grades ...	91,066	8·7	7·2	40·3	30·3	13·3	·2	100·	

Results of Trial.

36. The general results of the trial of suits disposed of were as under :—

Results of trial of suits disposed of.

	Number of suits.	Proportion per cent.	Corresponding proportion in 1879.
Plaints rejected or returned	525	·6	·7
Transferred to other District or Small Cause Court Jurisdiction...	1	...	...
Without Contest.			
Dismissed for default	16,479	18·1	20·0
Withdrawn with leave	1,195	1·3	1·9
Compromised	11,673	12·8	11·2
Decreed on confession	22,902	25·2	24·5
Decreed *ex parte*	13,679	15·0	14·1
Dismissed *ex parte*	754	·8	·7
Total Uncontested ..	66,682	73·2	72·4
Contested and Judgment given for.			
Plaintiff in whole	9,941	10·9	11·3
Ditto in part	7,673	8·4	8·5
Defendant in whole	6,244	6·9	7·1
Total Contested ...	23,858	26·2	26·9

37. The following table shows the proportions of contested suits in the several districts of the Central Provinces with details of the manner of disposal for 1879 and 1880.

Comparison for 1879-80 of contested suits in the several districts.

Districts.	Percentage of total cases disposed of.							
	For plaintiff in whole.		For plaintiff in part.		For defendant in whole.		Total.	
	1879	1880	1879	1880	1879	1880	1879	1880
Nagpur ...	12·7	11·3	7·6	7·	5·2	4·6	25·5	22·9
Chanda ...	13·4	10·1	8·1	5·	5·0	4·1	26 5	19·2
Bhandara ...	8·4	7·8	9·2	7 1	5·2	5·7	22·8	20·6
Wardha ...	10·8	10·2	11·5	14·3	6 8	5·6	29·1	30·1
Balaghat ...	7·0	9 9	5·5	11·2	9·0	7·7	21·5	28 8
Jubbulpore ...	11·7	13 7	8·8	7·7	9·6	10·5	36·1	31 9
Saugor ...	12·9	11·	7·3	8·6	7·0	5·9	27·2	25·5
Damoh ...	12·1	12·	11·7	6·	7·7	7·1	31·5	25·1
Seoni ...	10·1	12·7	10·0	10·7	6·4	6·8	26·5	30·
Mandla ...	6·7	9·4	6·9	4·9	9·0	8·6	22·6	22·[illegible]
Hoshangabad ..	12·3	11 9	5·9	7·4	7·3	7·2	25·5	26·[illegible]
Betul ...	9·9	9·2	8·2	6·4	6·6	7·1	24·7	22·7
Narsinghpur ...	14·4	14·6	8·0	8·8	10·5	9·4	32·9	32·8
Chhindwara ...	8·3	8 3	5·8	5·2	6·6	6·2	20·7	19·7
Nimar ...	11·3	11·8	8·4	8·	6·4	6·8	26·1	26·6
Raipur ...	8·5	8 9	9·9	11·	10·0	8·3	28·4	28·2
Sambalpur ...	11·8	10·6	11·7	11·2	12·2	12·7	35·7	34·5
Bilaspur ...	7·6	8·2	11·7	11·8	10·9	10·7	30·2	30·7

38. The percentage of uncontested cases has increased. The majority of these cases were decreed on confession. The cause of the increase is the greater number of money suits of small value in which defendants do not find it worth while to fight the claim. In Chanda decrees on confession were markedly numerous. The Deputy Commissioner reports that this feature of the returns is due to a desire on the part of creditors to obtain the security of a decree at the earliest stage in the history of a debt, when the facts are clear and the debtor cannot deny them. In Hoshangabad decrees on confession show an increase of 1 per cent. The Deputy Commissioner finds that Naib-Tahsildars were sometimes a little hurried in their procedure, but is on the whole satisfied that the interests of defendants did not suffer. In Betul also the decrees on confession were numerous: but the Deputy Commissioner is well assured that the confessions were genuine. In *ex parte* cases there is also an increase. The Deputy Commissioner of Nagpur has gone through the cases in his district and finds that they were mostly suits on written obligations, and that the summonses had been duly served. The Deputy Commissioner of Hoshangabad reports to similar effect, but adds that bonds are sometimes accepted without due proof. The Bilaspur report has a note of the same purport pointing out that the cursory examination of plaintiffs' account books by some *sowcar* who happens to be waiting at the Court-house is often accepted as basis for a decree. The Officiating Judicial Commissioner in a Circular recently issued has impressed on the Courts the fact that all documentary evidence must be regularly proved, and that until it is so proved it cannot be taken into consideration for the decision of the case. The whole subject of uncontested cases seems to have been carefully and thoroughly treated by the District officers. There is no doubt but that a systematic inspection of the cases of subordinate Courts such as is reported of by the Deputy Commissioners of Hoshangabad, Narsinghpur, Chanda and Bilaspur, must have a most beneficial effect in checking any tendency to the over-hasty disposal of judicial work. In the Officiating Judicial Commissioner's opinion, however, the conduct of the Judges has little influence on these statistics. The money-lenders use our Courts as an efficient and certain means of dunning their debtors.

Uncontested cases.

39. There is a variation in the percentages of suits compromised and suits withdrawn with leave : the former having slightly declined in number, and the latter considerably increased. This is due to the more careful classification of adjusted suits which is now made under the instructions which were promised in last year's report and which were embodied in Circular No. XIII. of 1880.

Suits compromised.

40. Suits in *formâ pauperis* are fewer than might have been expected from the number and character of the population. Many of the suits to set aside alienations of ancestral property, for example, must be brought by persons almost destitute of means. Probably a prejudice against the procedure is fostered by the writers of plaints who are the legal advisers of the humbler classes in most districts, and who often earn a commission by advancing the value of the Court-fees. The Deputy Commissioner of Bilaspur reports that there are in his district two or three score of persons (principally Satnami Chamars) who systematically appear before every new District officer and haunt his Court for two or three months with petitions relating to land which should be presented in the Civil Courts as plaints in *formâ pauperis*, and who yet neglect to take that course in despite of instructions repeatedly given them. Probably this phenomenon is due to the ignorance of the people, who are of opinion that a change of officers heralds a change of administrative system, under cloud of which they may find some personal gain.

Suits in *formâ pauperis*.

41. Reference to arbitration is another unpopular method of using the power of the Courts. Some Judges are fond of appointing arbitrators in order to save themselves time and trouble : but it is rarely that an order of appointment is made at the instance of either of the parties. The Deputy Commissioner of Narsinghpur reports that the people of his district, who always contest their suits very hotly, feel aggrieved if the matter of dispute is referred to arbitrators. In Seoni there were only 8 cases ; and these are reported to have been made at the instance of the Judges. The Deputy Commissioners of Nagpur and Wardha in like manner report that he procedure is not favoured. It has been noted in the course of the year that the durations in the Court of the Tahsildar of Jubbulpore have been unduly increased by references to arbitration : and the same criticism applies (as noted by the Deputy Commissioner of Hoshangabad) wherever private individuals have been appointed to decide issues of Court. The task of arbitration is not willingly accepted and is tardily carried out. For these reasons arbitration should only be resorted to when the parties desire it : the proposal should rarely emanate from the Judge.

Arbitrations.

42. Akin to this question, is the appointment of commissions for local investigations and to examine accounts. In the case of the former the great difficulty has always been to find properly qualified and independent men to undertake the work. Under instructions issued by the Chief Commissioner the class of persons to whom commissions of the kind should properly issue, has been narrowed. The difficulty now is that suitable nominees are too few for the work of the Courts. The Deputy Commissioner of Chhindwara reports that adjournments have often to be made because no available commissioner is unemployed. The subject is at present under the consideration of the Officiating Judicial Commissioner, who has received a proposition from the Commissioner of the Chhattisgarh Division through the Chief Commissioner's Office for the appointment in each district of a paid staff of Civil Amins. In the meantime it may be pointed out that commissions of all kinds are often unnecessarily issued by the Courts. As far as possible the delegation to a commissioner of the task of taking down evidence should be avoided, as the records so made are, in the majority of cases, unsatisfactory. The common necessity which dictates the appointment of a commissioner is the obtaining of a correct map of the site in dispute. This necessity would not so often recur if the Courts insisted on the proper preparation of

Commissions.

plaints in suits regarding land. Such plaints should be accompanied by a delineation of the boundaries of the land in dispute of a more careful and accurate kind than the rude scrawls which commonly do duty for sketch maps. In the matter of commissions to examine accounts the remarks made last year apply again. Several instances of unnecessary appointments of this nature are noted in the District reports—remarkably one in the Hoshangabad district, where a Tahsildar issued a commission in a case where the matter in dispute was only an item of Rs. 4 for cloth sold.

Special oaths.

43. There were 755 cases decided on special oath taken by the parties as compared with 745 last year and 700 in 1878. Nagpur, Wardha, Chhindwara and Sambalpur show the largest number of these decisions. Special oaths are generally resorted to in cases of small value, either because the parties are illiterate and superstitious, or because the trouble of litigation for an inconsiderable sum is thus avoided. The cases were nearly all in the Courts of Naib-Tahsildars and the Small Cause Courts. Something depends on the predilection of the Judge for this mode of settlement. Thus of the 62 cases in the Chhindwara district, 51 occurred in the Court of one Naib-Tahsildar : and some changes in the Judicial staff of the Narsinghpur district have led to a considerable decrease in the number of cases there.

Payment by instalments.

44. The number of decrees in which payment by instalments was ordered has fallen from 5,561 to 5,406. The decrease seems to be generally distributed, and from the explanations given in the different reports it appears that this is due to instructions on the subject issued by most Deputy Commissioners to subordinate Courts. The Deputy Commissioner of Bilaspur says he had to correct a tendency shown by some Courts to decree instalments merely because the plaintiff was a *well-to-do man*; and the Deputy Commissioner of Narsinghpur similarly reports that he found Judges in the habit of regarding an order for payment by instalments as a means of *admonishing creditors* who had charged excessive interest, or otherwise shown want of consideration for their debtors. In the Hoshangabad report it is noted that the decrease of 131 cases is "no matter for regret" as the minor Courts had been given to too indiscriminate a use of their discretion in this respect.

Durations.

45. Durations in contested suits are again higher. The average number of days required for the disposal of every contested suit has been 36·1 days and for every uncontested suit 22·9 days, as compared with 34·3 days and 23 days in 1879.

The highest durations were in Sambalpur, Raipur, Wardha and Chanda. With regard to Sambalpur and Chanda the cause lay in the growing litigation, the distances to be travelled by process servers and the insufficiency of the serving establishment. Additions to the serving establishment of both districts have now been sanctioned, and an improvement in durations will doubtless follow. Raipur is suffering from similar difficulties, and it may be necessary to increase the serving establishments of outlying Courts. With regard to Wardha the explanation given is that as the border of the district touches Berar and in many cases witnesses have to be summoned from Berar through the Berar Courts, the average of durations is raised by the delays which constantly occur in the execution and re-transmission of process. As was pointed out at length in last year's report, faulty procedure is commonly the cause of long durations. It is unncessary to recapitulate what was then said. By vigilant criticism of the quarterly returns and of the explanations for delay which are furnished therewith, the Officiating Judicial Commissioner hopes in time to weed out the errors which are still apparent. There are points of procedure far more important than the reduction of the period which elapses between the filing of a plaint and the final order. It does not matter to a party whether the final order is given within fifteen days or thirty days, provided that the suit is promptly and efficiently disposed of when it comes before the Judge without vexatious and unnecessary adjournments.

D.—Appellate Business (B 9 and IV.)

Appeals to the Judicial Commissioner, Commissioners and Deputy Commissioners

46. The number of first appeals instituted during the year is shown below :—

	Courts of Deputy Commissioners.		Courts of Commissioners.		Court of the Judicial Commissioner.		Total.		Percentage on 19,661 Contested cases in 1879	Percentage on 20,336 Contested cases in 1880
	1879	1880	1879	1880	1879	1880	1879	1880		
From decrees: Of ordinary Civil Courts ...	3,080	3,085	553	660	...	...	3,633	3,745	18·5	18·4
From decrees: Of Courts under the Rent Law	...	...	350	363	...	...	350	363	...	...
From orders...	179	139	103	95	...	...	282	234	...	...
Total ...	3,259	3,224	1,006	1,118	...	...	4,265	4,342	...	...

47. The total number of appeals has slightly increased, the increase lying mainly in the Courts of Commissioners. Appeals from orders were fewer both in the Courts of Deputy Commissioners and in Courts of Commissioners. This is probably due to a better understanding of the provisions of the amended Civil Procedure Code on the subject of appealable orders.

48. Appeals first and second (special) were disposed of (otherwise than by transfer) as shown below.

Disposal of appeals

Courts.	Rejected at preliminary hearing		Dismissed for default		Remanded for re-trial.		Decree of Lower Court. Modified.		Reversed.		Confirmed.		Total disposed of
	Number.	Percentage of total appeals.	Number.	Percentage of total appeals.	Number.	Percentage of total appeals.	Number.	Percentage of total appeals.	Number.	Percentage of total appeals	Number.	Percentage of total appeals	
1	2	3	4	5	6	7	8	9	10	11	12	13	14
Court of the Judicial Commissioner...	269	53	9	2	68	13	21	4	72	14	69	14	508
Courts of the Commissioners—													
Nagpur ...	..	...	6	3	27	14	23	11	34	17	110	55	200
Nerbudda ...	...	..	9	8	9	9	4	4	23	22	59	57	104
Chhattisgarh ...	...	..	16	9	25	13	37	20	22	12	85	46	185
Additional Commissioner, Nerbuddaand Jubbulpore Divisions	...	..	14	2	97	15	51	8	148	23	339	52	649
Total ...	...	..	45	4	158	14	115	10	227	20	593	52	1,138
Nagpur ..	...	...	20	7	26	9	23	8	38	12	194	64	301
Chanda ...	...	...	9	13	5	8	11	16	11	16	32	47	68
Bhandara ..	...	...	9	8	13	11	14	12	16	14	65	55	117
Wardha ...	..	..	17	7	18	8	26	11	44	19	128	55	233
Balaghat ...	...	...	5	15	1	3	..	..	4	12	24	70	34
Jubbulpore ...	...	..	12	8	22	14	15	10	26	17	79	51	154
Saugor ...	...	...	9	6	9	5	15	9	31	19	101	61	165
Damoh ...	...	..	5	6	8	9	4	4	11	13	59	68	87
Seoni ...	...	...	3	4	2	2	12	16	16	21	43	57	76
Mandla ...	...	..	3	9	1	3	1	3	8	23	22	62	35
Hoshangabad ...	...	..	20	6	43	12	26	7	63	18	200	57	352
Betul ...	...	..	8	6	2	1	17	12	21	15	95	66	143
Narsinghpur ...	...	...	34	13	48	18	42	15	24	9	119	45	267
Chhindwara ...	...	..	8	6	3	2	19	14	24	17	86	61	140
Nimar ...	...	...	17	7	18	8	18	8	37	16	145	61	235
Raipur ...	..	...	28	8	32	9	44	13	44	13	198	57	346
Sambalpur ...	...	...	12	4	20	7	26	9	49	16	190	64	297
Bilaspur ...	...	...	12	9	12	9	6	4	28	20	81	58	139
Total ...	...	...	231	7	283	9	319	10	495	16	1,861	58	3,189
Grand Total ...	269	6	285	6	509	11	455	9	794	16	2,523	52	4,385

49. Considering the varying influences which the frequent changes in subordinate Courts must exercise on the quality of the subject matter, it is not a little remarkable that the figures denoting the percentages of reversals and confirmations on appeal should only differ by one per cent from the figures for 1879. The difference is in favour of the Courts whose decrees were appealed against. There was also a smaller percentage of remands for re-trial. For the reason that the quality of the work done by Courts of first instance is both an important factor in the tabulated results of the work of an appellate Court, and also a factor which varies with the necessary changes made from time to time in the Judicial staff, it is of little use to compare the work of appellate Courts in respect to the reversal or upholding of decrees. Note, however, may be taken of the remarks made by some Deputy Commissioners on the subject of their appellate work.

The Deputy Commissioner of Raipur says:—

"Taken as a whole, I cannot say that I am favourably impressed with the procedure in cases tried by Tahsildars and Naib Tahsildars which have come before me on appeal. It is not so much that their legal knowledge is confined to a smattering of the Procedure Code as that they seem incapable of striking proper issues in cases even of the simplest description, and that consequently evidence is recorded at random, and decisions do not follow evidence. Hence the suggestion in the earlier part of this report that the appointments of Naib Tahsildars should not be given to men destitute of all legal training.

The Deputy Commissioner of Narsinghpur says :—

"Much trouble would be saved if the Subordinate Courts devoted a little more care to the preparation of their cases. Some Judges get into the habit of simply making a brief note of the plaint, which stands as the plaintiff's statement; and the defendant's reply is even more brief than the analysis of the plaint; the division of the plaintiff's story into its several headings and the full record of defendant's reply to each heading, is unfrequent, and as a consequence the grounds of appeal sometimes refer to points on which the original record is silent."

The Officiating Judicial Commissioner concurs generally in these opinions, while remarking that some allowance must be made for the pressure of work, which sometimes renders any thing but a summary record impracticable. At the same time he would point out that the control of the procedure of subordinate Judges is in the hands of District Officers, who should, as far as possible, arrange that the distribution of suits should be such as to render methodical procedure compatible with the despatch of current business.

Judgments of appellate Courts.

50. In dealing with appeals from appellate Courts the Officiating Judicial Commissioner has sometimes had to remark on a certain meagreness in the record of reasons for judgment which corresponds to a certain extent with the deficiencies discovered by the Deputy Commissioner of Narsinghpur in the records of Courts of first instance. Of late, however, an improvement has been observed in some Courts. Attention had to be called during the year to irregularities in the procedure for remanding cases. It was pointed out that the majority of such remands should be under Section 562, Civil Procedure Code (Circular No. XVII of 1880). The distinction was important as affecting the refund of Stamp duty.

Duration.

51. There was an increase in the average of durations, but so slight as not to call for special notice.

E.—Execution of Decrees (B 10 and III.)

Applications for execution.

52. Applications for execution of decree increased by 6,795. The percentage of cases struck off without execution was 37·5. In Wardha, Jubbulpore, Hoshangabad and Raipur the percentages are remarkably high. The explanations in all cases are that judgment creditors often take out execution merely to keep the decree alive, that adjustments out of Court are frequently made and not notified to the Court, and that judgment debtors frequently conceal themselves and their property. The amendment of Section 230, Civil Procedure Code, has, more-

over, withdrawn the need for diligence on the part of the judgment creditor in prosecuting the proceedings to a close. The percentage is still lower than it was in 1877, and there seems no reasons to suppose that the procedure of the Courts is either lax or hasty.

Imprisonment of debtors and insolvents.

53. Fewer persons were committed to prison in execution of decrees, the figures being 595 against 617 in 1879; 29 persons were declared insolvent as compared with 56 in 1879. The small resort which is made to this method of escaping the penalties of an undischarged judgment debt, is explained by the Deputy Commissioners of Nagpur and Bilaspur on the same ground, viz.:—that, in general, judgment creditors manage to attach and sell all the property of honest debtors, and the only men committed to jail are those who have concealed their property, and who are unlikely, therefore, to place that property at the Court's disposal under the Insolvency Chapter. As, however, a certain number of fraudulent debtors *do* apply to be declared insolvents, one would suppose that the declarations of insolvency would bear some proportion to the number of persons imprisoned. This is not the case; for the declarations of insolvency have diminished by one half, while the imprisonments have only diminished by one-fortieth. Something must be attributed to the view taken by the Judge of the way in which applications in insolvency should be treated. Thus in Nagpur (where the Judge was changed during the year) insolvency petitions were granted in 36 cases in 1879 and in 10 cases in 1880. The rules for application appear to be carefully made known to arrested debtors. The working of the Insolvency rules will be better judged of next year when by virtue of the additional returns prescribed in this Court's Circular No. XXVIII. of 1880, the method of dealing with applications made by judgment-debtors who claim the benefit of the law will be brought under closer review.

54. The Officiating Judicial Commissioner inspected the Courts of the following districts during the late camping season:—

Wardha,	Damoh,
Nimar,	Betul,
Hoshangabad,	Seoni,
Jubbulpore,	Nagpur.
Saugor,	

He has examined the accounts, and the record offices and the routine work of the Courts. He is able to say that the Courts of these Provinces are in excellent order in these respects, and need not fear the closest scrutiny.

I have the honor to be,

Sir,

Your most obedient Servant,

L. K. LAURIE,

The 11th February 1881.

Offg. Registrar.

PRESCRIBED STATEMENTS.

Judicial Statement B 1.

Showing the various Judicial Tribunals, Original and Appellate, existing in the Central Provinces on the last day of the year 1880.

Classes of Tribunals, distinguishing those which exercise powers in one Department from those exercising powers in two or three Departments, and those consisting of paid and unpaid Judges		Number of Judicial Divisions.	Average area of each Division in square miles.	Average population of each Division.	Number of Tribunals.	Constitution of Tribunals, stating number of Judges in each and Jury or Assessors, if any.	Judicial powers of each Tribunal, Original or Appellate.	Total number of Judges. European. Covenanted	Commissioned Military Officers.	Uncovenanted.	Native.	Average annual salary of each Judge European.	Native.	Total cost of Tribunals.	Net receipts from Stamps.	Executive or other functions exercised by the same Officer.	Average number of days in the year devoted to Judicial work.	Average number of advocates at tached to each Tribunal.	Number of cases decided during the year Criminal.	Civil.	Revenue.	Appellate.
1		2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
Magistrates of the second and third classes exercising Criminal powers only.	Paid ...	2	7,207	372,790	3	A single Judge presides over each Court	Each Judge has powers of a Magistrate of the 2nd or 3rd Class under the Code of Criminal Procedure.	...	...	3	...	6,600	...	...	...	The paid Judges are (1) a Civil Surgeon (2), a Dy. Conservator of Forests and (3) an Asst. Conservator of Forests; the two former exercise the powers of a Magistrate 2nd class, and the latter that of a Magistrate 3rd class.	Sundays and general holidays.	Courts of the Central Provinces.	17	...	...	...
	Unpaid..	38	884	94,174	64	Jury or Assessors not employed.		...			60	...	...	...	...				5,698	...	...	...
Magistrates of the second and third classes exercising Criminal, Civil, and Revenue powers.	Paid	44	2,166	215,978	62	Do.	Each Judge has on the Criminal side the powers of a Magistrate of the 2nd or 3rd class under the Code of Criminal Procedure, and on the Civil side power to hear suits of value up to Rs 50, 100, 300, 500, 1,000, according to his powers under the Central Provinces' Courts Act (XIV. of 1865), and has on the Revenue side the powers of a Deputy Collector under the Rent Law (Act X. of 1859, as amended by Act XIV. of 1863).	2	...	1	59	4,400	1,591	Rs. 6,77,011	Rs. 7,80,063	These officers are Tahsildars (Sub-Collectors,) Asst. and Extra-Asst. Commissioners; they are employed generally in administrative work of the district to which they are attached.			9,075	23,830	5,997	...

Small Cause Courts confined to proper functions.	Paid ...	2	1,195	2,56,206	3	A single Judge presides over each Court; Jury or Assessors not employed.	One Judge has power to hear suits up to Rs. 1,000 and the other to Rs. 500 under Act XI. of 1865; the third Judge is Registrar of one of the Courts who, under the same Act, is invested with power to hear suits.	...	2	...	1	10,800	3,000	...	...	...	235 days excluding	4 Barristers at-Law, 2 Attorneys-at Law, and 67 Pleaders practise in the	...	11,275	...	...
Do. invested also with Criminal powers.	Paid ...	3	1,124	90,657	4	Do.	One of these Judges under Act XI. of 1865, and two under Acts XI. of 1865 and XXII of 1864, have power to hear suits up to Rs. 500 in value. Three of these Judges exercise the powers of a Magistrate. The remaining Judge is the Registrar of one of the Courts, who himself has only Civil powers to decide suits up to Rs. 20.	..	3	...	1	7,600	1,920	...	...	Three of these Judges are Cantonment Magistrates.			585	3,005	...	...
Do. invested also with ordinary Civil or Revenue powers	Paid ...	1	10	14,536	1	Do.	This Judge has on the Criminal side the powers of a Magistrate, and on the Civil side jurisdiction in suits not exceeding Rs. 500 in value, and of a nature cognizable by Courts of Small Causes. He is also invested with the powers of a Collector under the Rent Act, except only the power to hear appeals. His jurisdiction as above is confined to Cantonment limits.		1	...	...	10,800	...	...	...	This officer is the Cantonment Magistrate of Saugor.			210	222	8	...
Naib Tahsildars invested with civil powers only.	Paid ..	28	1,753	1,87,589	39	Do.	Each Judge can hear suits up to Rs. 50 in value under Section 6, Act XIV of 1865, "The Central Provinces' Courts Act."	...	...	...	89	...	917	Rs. 6,77,011	Rs. 7,80,063	These officers assist Tahsildars in the general administration of Subdivisions of Districts (Tahsils) to which they are posted.			155	38,952	...	...
Magistrates of the first class (not Magistrates of Districts) invested with Criminal powers only.	Paid ...	1	2	21,621	1	A single Judge presides over each Court: Jury or Assessors not employed.	Each Judge has the powers of a Magistrate of the 1st class under the Code of Criminal Procedure, and the paid Judge has, under the same Code, powers under Section 157.	...	1	...	...	12,000	...	...	...	The paid Judge is the Superintendent of the Central Jail Jubbulpore; the other officers are Honorary Magistrates; they exercise the powers of Magistrates of the 1st class within their respective jurisdictions.	...	...	...	...	..	...
	Unpaid.	5	1,454	1,76,410	9			...	...	...	9	...	...	...	...		...	...	865	...	...	...

Judicial Statement B 1.—(*Continued.*)

Classes of tribunals, distinguishing those which exercise powers in one Department from those exercising powers in two or three Departments, and those consisting of paid and unpaid Judges.	Number of Judicial Divisions.	Average area of each Division in square miles.	Average population of each Division.	Number of tribunals.	Constitution of tribunals, stating number of Judges in each and Jury or Assessors if any.	Judical power of each Tribunal, Original or Appellate.	Total number of Judges. European: Covenanted.	Total number of Judges. European: Commissioned. Military Officers.	Total number of Judges. European: Uncovenanted.	Total number of Judges. Native.	Average annual salary of each Judge. European.	Average annual salary of each Judge. Native.	Total cost of Tribunals.	Net receipts from Stamps.	Executive or other functions exercised by the same Officer.	Average number of days in the year devoted to Judicial work.	Average number of advocates attached to each Tribunal.	Number of Cases decided during the year. Criminal.	Number of Cases decided during the year. Civil.	Number of Cases decided during the year. Revenue.	Number of Cases decided during the year. Appellate.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
Magistrates of the 1st class (not Magistrates of Districts) invested with Civil and Revenue powers. } Paid ...	23	3,828	3,74,691	47	A single Judge presides over each Court; Jury or Assessors not employed.	In addition to full Magisterial powers under the Code of Criminal Procedure each of these Judges hear Civil Suits up to Rs. 1,000 or Rs. 5,000 in value according to his powers under Act XIV. of 1865; some of them are invested with the special powers of a Deputy Commissioner to hear civil appeals. On the Revenue side these Judges exercise the powers of a Deputy Collector under the Rent Law.	9	1	7	33	6,277	3,594	...	...	These officers are Assistant, and Extra-Assistant Commissioners, and Tahsildars, who aid Deputy Commissioners in the general administration of the districts to which they are posted.	...	...	2,553	13,584	947	545
Magistrates of Districts. } Paid ...	18	4,677	4,50,964	18	Do.	In addition to the full powers of a Magistrate, these officers hear appeals from convictions by Magistrates of the second and third classes. They also exercise the special powers of Section 36, Code of Criminal Procedure, to try all offences not punishable with death; on the Civil side they can try suits up to any value, and hear appeals from the decisions of Subordinate Civil Courts of their districts of the four lowest grades specified in Act XIV. of 1865. On the Revenue side they have the powers of a Collector under the Rent law.	5	12	1		15,985	...	Rs. 6,77,011.	Rs. 7,80,063	These officers are Deputy Commissioners invested with administrative charge of districts.	Sundays and general holidays.	Courts of the Centrdl Provincas.	2,494	198	29	3,016

Courts of Session exercising also Civil and Revenue powers.	Paid	...	4	21,032	2,023,511	5	A single Judge presides over each Tribunal He is assisted by two Assessors when trying defended Sessions cases (Criminal.) The 5th Judge is the Additional Commissioner of the Jubbulpore and Nerbudda Divisions, who decides civil appeals only.	These officers preside on the Criminal side over Courts of Session, and try heinous offenders committed by Magistrates to their Courts for trial, and likewise hear appeals from the orders of Magistrates of the 1st Class. On the Civil side Commissioners have no ordinary original jurisdiction, but under Act XIV of 1865 hear appeals in all suits in which the value is Rs. 5,000 or more, and they also hear appeals from the judgments of Collectors and Dy. Collectors in certain suits under Act X. of 1859 (the Rent Act). They have also special original jurisdiction under Act IV. of 1869, the Indian Divorce Act, and X. of 1870, the Land Acquisition Act. In the Revenue Department they are Commissioners of Division, and hear appeals from orders of Collectors under the Rent Law The Additional Commissioner hears Civil appeals only from all the districts of the Jubbulpore Division and from three out of the five districts of the Nerbudda Division.	3	2	...	...	30,881	...	...	...	Commissioners of Division have administrative charge of their respective Divisions, consisting of several districts.	248 days excluding	4 Barristers-at-Law, 2 Attorneys-at-Law, and 67 Pleaders practise in the	125	...	..	1,619
														Rs. 6,77,011.	Rs. 7,80,063.							
Court of the Judicial Commissioner.	Paid	...	1	84,963	8,201,519	1	A single Judge presides over this Court unassisted by either Jury or Assessor.	The Judicial Commissioner's Court is the Chief Appellate Court in Criminal and Civil cases; hearing on the Criminal side appeals from the orders of Courts of Session; and on the Civil side, second appeals from decisions passed on appeal by Deputy Commissioners or Commissioners. In Criminal cases the Judicial Commissioner has also the power of a Court of reference and revision given by the Code of Criminal Procedure to the Sadar Court	1	...	...	37,600	...										675

ABSTRACT.*

Number of Criminal Courts		*Number of Civil Courts.*	
Magistrates of the 2nd and 3rd Class	110	Small Cause Courts	6
Magistrates of the 1st Class	54	Courts of the Naib-Tahsildar	34
Magistrates of Districts	18	Courts of the Tahsildar	51
Courts of Session	4	Courts of the Assistant Commissioner	36
Court of the Judicial Commissioner	1	Courts of the Deputy Commissioner	18
		Courts of the Commissioner and Additional Commissioner	5
		Court of the Judicial Commissioner	1
Total ...	187		151

* Under administrative arrangements Officers exercising both Magisterial and Civil powers are sometimes employed only as Criminal, and sometimes only as Civil Judges, and sometimes as both. This abstract shows the actual number of Judges employed as Criminal as well as Civil Judges at the close of the year

JUDICIAL STATEMENT B. 6.—(Civil.)

Statement showing the number and description of Civil Suits instituted and disposed of in the Courts of Original Jurisdiction in the Central Provinces, in the year 1880.

Class of Tribunals.	Money due.						Rent not falling under the Rent Law.	Recovery of personal property or value thereof.	Damages.				Suits for immoveable property.	Suits for specific performance of contract.	Suits to declare and establish rights to real property including pre-emption, foreclosure &c.	Suits to declare and establish personal rights.	Suits for an account.	Suits relating to religious endowments.	Suits to set aside judgments, contracts or obligations on the ground of fraud.	Suits for dissolution of marriage.	Suits for enforcement of matrimonial rights.	Suits for partition.	Suits relating to shipping.	Suits relating to religion and caste.	Total.
	On written obligation for sum certain.	On unwritten promise for sum certain.	On account stated.	For money paid or received.	For goods sold and delivered.	For breaches of contract not included in the above.			For injuries to person not attended with direct or actual pecuniary damages.	For injuries to property.	For defamation.	For other injuries not included in the above.													
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26
Small Cause Courts ...	7,800	2,186	455	139	2,769	401	214	316	222				...	...	...	...	...	...	...	...	...	...	...	...	14,502
Sub-Divisional Courts ...	30,641	13,037	1,345	413	6,371	6,829	491	3,141	1,670				327	2	5	1	...	...	1	...	...	...	...	...	64,274
District Courts ...	4,774	762	275	87	431	800	33	413	354				3,517	106	305	44	31	3	110	7	231	7	...	...	12,290
Superior Courts. ...	...	...	...	...	...	...	...	...	...				...	...	...	...	...	...	...	1	...	...	...	...	1
Total ... 1880...	43,215	15,985	2,075	639	9,571	8,030	738	3,870	2,246				3,844	108	310	45	31	3	111	8	231	7	...	...	91,067
Total ... 1879..	39,506	14,944	1,593	768	9,721	1,827	835	11,492	2,434				3,669	53	425	67	30	3	77	17	215	4	...	...	87,680

JUDICIAL STATEMENT B. 7.—(Civil.)

Statement showing the Value of Suits disposed of in the Civil Courts of the Central Provinces, in the year 1880.

Value of Suits	Number of Suits disposed of in different Courts.							Total value of Suits.
		Sub-divisional Courts.		District Courts.				
	Small Cause Courts.	Naib Tahsildars.	Tahsildars.	Assistant Commissioners	Deputy Commissioners.	Commissioners.	Total number of Suits.	
1	2	3	4	5	6	7	8	9
Not exceeding Rupees 5	2,365	6,937	2,478	801	15	...	12,596	42,932
Ditto " 20	5,562	18,733	7,105	2,061	14		33,475	4,07,775
Ditto " 50	4,108	11,032	8,260	2,086	7	..	25,493	8,31,684
Ditto " 100	1,451	..	6,506	2,436	20	.	10,413	7,31,586
Ditto " 300	809	...	3,223	2,792	20	1	6,845	11,20,807
Ditto " . . . 500	136	...	..	847	8	...	991	3,94,145
Ditto " 1,000	71	.	...	605	9	.	685	4,72,988
Ditto " 5,000	...	...	..	424	82	..	506	10,71,082
Ditto " 10,000	...	...	...	9	34	...	43	2,93,463
Ditto " 1,00,000	..	...	...	4	16	.	20	4,39,101
Exceeding " 1,00,000	...	...	...	...		.	...	.
Total ... 1880 ...	14,502	36,702	27,572	12,065	225	1	91,067	60,05,563
Total ... 1879 ...	14,182	32,416	29,787	11,063	229	3	87,680	58,19,515

JUDICIAL STATEMENT B. 8.—(Civil.)

Statement showing the general result of the trial of Civil Suits in the Courts of Original Jurisdiction in the Central Provinces, in the year 1880.

Class of Courts.	Suits remaining from last year.	Filed in this year.	Received by transfer.	Total for disposal.	Transferred to other Courts.	Plaints rejected or returned.	Dismissed for default.	Withdrawn with leave.	Compromised.	Decreed on confession.	Decreed *ex parte*.	Dismissed *ex parte*.	Contested. Judgment for plaintiff in whole or in part.	Contested. Judgment for defendant.	Total disposed of.	Pending.	Over two months.	Over four months.	Average duration of Suits. Contested.	Average duration of Suits. Uncontested.	Referred to arbitration.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
Small Cause Courts ...	804	14,265	...	15,069	1	62	2,354	236	1,559	3,564	3,156	48	2,720	802	14,502	567	6	1	28·3	19·9	19
Sub-Divisional tribunals.	2,614	64,584	...	67,198	...	309	12,366	728	9,142	17,065	8,914	603	11,490	3,657	64,274	2,924	100	1	34·5	22·9	182
District Courts other than Chief Courts of Districts ..	691	12,340	...	13,031	...	150	1,748	227	948	2,256	1,599	103	3,305	1,740	12,071	960	137	3	43·5	26·7	89
Chief Courts of Districts.	52	190	...	242	...	4	16	4	24	17	10	...	99	45	219	23	6	2	86·8	47·9	8
Superior Courts ...	...	1	...	1	...	...	...	...	...	...	...	...	...	1	1	...	...	...	11·0	...	...
Total ... 1880 ...	4,161	91,380	...	95,541	1	525	16,479	1,195	11,673	22,902	13,679	754	17,614	6,245	91,067	4,474	249	7	36·1	22·9	298
Total ... 1879	3,977	87,865	...	91,842	1	510	17,502	1,726	9,813	21,469	12,438	607	17,307	6,307	87,680	4,162	284	20	34·3	23·0	393

JUDICIAL STATEMENT B. 9.—(Civil.)

Statement showing the business of the Civil Appellate Courts of the Central Provinces, in the year 1880.

Class of Courts.	Remaining from the previous year.	Instituted during the year.	Received by transfer.	Total.	Rejected and transferred	Dismissed for default under Sections 556, 557, Act X of 1877.	Heard *ex parte*			Contested.				Total disposed of.	Pending.	Over two months.	Objections under Section 561, X of 1877.	Objections allowed.	Remarks.
							Confirmed.	Modified.	Reversed.	Confirmed.	Modified.	Reversed.	Remanded.						
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
Chief Appellate Courts of District .	228	3,224	...	3,452		231	409	44	77	1,452	275	448	253	3,189	263	5	.	2	
Superior Appellate Courts other than Chief Court of Province	118	1,118	...	1,236		45	91	15	38	503	100	204	143	1,138	98	1	10	5	
Chief Court of Province ...	115	503	4	622	269	9	3	.	15	66	21	62	63	508	114	13	...	...	
Total ... 1880 .	461	4,845	4	5,310	269	285	503	59	130	2,021	396	714	459	4,835	475	19	10	7	
Total ... 1879...	393	4,747	...	5,140	216	281	562	34	162	1,803	352	699	510	4,619	521	8	3	2	

JUDICIAL STATEMENT B. 10.—(Civil.)

Statement showing the Execution of Decrees in the Courts of the Central Provinces, during the year 1880.

Class of Courts.	Applications to execute decrees.				Decrees completely executed.	Partially executed.	Pending at the end of the year.	Nature and number of coercive processes issued.						Remarks.
	Pending from the previous year.	Filed in the year.	Received by transfer.	Total.				Imprisonment of person.	Moveable property.		Immoveable property.		Under Section 326, Act X. of 1877.	
									Attached.	Sold.	Attached.	Sold.		
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Small Cause Courts ...	756	8,578	18	9,352	2,209	2,069	1,026	159	2,209	809	...	...	...	* 21,532 struck off without execution being effected.
Local and Sub-Divisional Courts ...	3,345	31,210	585	35,140	10,124	8,560	3,394	284	9,502	4,145	6,080	2,731	12	
Districts Courts ...	1,338	11,146	317	12,801	3,802	2,915	1,662	152	2,705	1,220	2,448	1,014	52	† 18,311 struck off without execution being effected.
Superior Courts ...	...	...	...	...	...	...	..	...	...	...	...	...	...	
Total ... 1880 ...	5,439	50,934	920	57,293	16,135	13,544	*6,082	595	14,416	6,174	8,528	3,745	‡64	‡ All temporary alienations.
Total ... 1879 ...	4,737	44,825	936	50,498	15,941	11,808	†5,438	617	12,280	5,512	7,381	3,518	38	

JUDICIAL STATEMENT B. 11.—(Civil.)

Statement showing the use of Juries and Assessors in the Civil Courts of the Central Provinces, during the 1880.

Classes of Courts in which Juries or Assessors are employed, distinguishing Criminal from Civil Courts.	Established or average number of Jury or Assessors in each case and prescribed qualifications.	Number of cases tried by Jury.	Number of cases with Assessors.	Jury trials.			Assessors' trials.		Note showing in what classes of cases Juries and Assessors have been principally employed.	Remarks.
				Verdict in favor of the prosecutor or plaintiff.	Verdict in favor of the accused or defendant.	Jury discharged without verdict	Number of cases in which Judges agreed with Assessors.	Number of cases in which Judges differed from Assessors.		
Civil Courts *(Blank.)*										

ADDITIONAL STATEMENTS:

No.

Statement showing the number, description and value of Original

Districts.	For money due. On written obligation.	On unwritten obligation.	On account stated.	For money paid or received.	For goods sold and delivered.	For breaches of contract not included in the above.	For rent, not falling under the Rent Law.	For moveable property or value thereof.	For damages.	For immoveable property	For specific performance of contract.
1	2	3	4	5	6	7	8	9	10	11	12
Nagpur	12,937	3,331	365	152	2,741	409	185	673	255	506	...
Chanda	2,152	314	119	30	359	425	9	97	71	77	...
Bhandara	2,701	697	8	33	249	446	19	70	124	117	7
Wardha	3,498	990	598	32	564	211	12	401	100	191	6
Balaghat	652	305	6	2	88	174	4	49	58	40	1
Jubbulpore	2,583	1,259	268	66	841	111	108	180	147	488	1
Saugor	1,591	522	101	32	306	421	21	181	60	161	12
Damoh	789	339	27	11	134	164	3	70	36	151	5
Seoni	833	614	1	32	233	372	11	109	103	47	2
Mandla	169	173	10	19	69	23	10	40	107	17	...
Hoshangabad	2,818	1,288	191	36	439	1,562	61	179	75	372	19
Betul	1,223	822	18	25	239	315	17	148	80	74	...
Narsinghpur	1,965	609	40	27	173	861	114	312	37	405	4
Chhindwara	2,066	566	15	29	286	386	12	95	83	164	5
Nimar	4,055	1,305	194	26	1,182	145	98	357	136	135	23
Raipur	1,634	1,456	65	29	1,020	978	36	443	305	304	7
Sambalpur	950	421	6	21	178	367	3	218	221	418	...
Bilaspur	599	974	43	37	470	660	15	248	248	177	16
Additional Commissioner Jubbulpore and Nerbudda Divisions	...	...	...	...	...	...	...	...	...	...	...
Total 1880	43,215	15,985	2,075	639	9,571	8,030	738	3,870	2,246	3,844	108
Total 1879	39,506	14,944	1,593	768	9,721	1,827	835	11,492	2,434	3,669	53

Exhibition of above Grand

Not exceeding Rs. 5	1,581	4,066	141	97	3,918	1,040	178	680	406	485	2
Ditto „ 20	15,225	7,241	606	216	3,840	2,867	330	1,515	694	847	12
Ditto „ 50	15,863	2,972	540	149	1,241	2,066	160	986	624	864	8
Ditto „ 100	6,146	910	289	71	369	1,075	38	391	282	568	15
Ditto „ 300	3,534	612	322	59	165	763	24	223	164	637	49
Ditto „ 500	416	89	67	22	24	101	5	42	30	157	10
Ditto „ 1,000	266	58	55	13	13	76	1	20	27	131	3
Ditto „ 5,000	171	36	47	11	...	40	1	13	16	129	7
Ditto „ 10,000	11	...	7	1	...	2	...	...	1	16	2
Ditto „ 1,00,000	2	1	1	...	1	...	1	...	2	10	...
Exceeding „ 1,00,000	...	...	...	...	...	...	...	...	...	...	...
Grand Total 1880 ...	43,215	15,985	2,075	639	9,571	8,030	738	3,870	2,246	3,844	108
Grand Total 1879 ...	39,506	14,944	1,593	768	9,721	1,827	835	11,492	2,434	3,669	53

I.

Suits disposed of in the Central Provinces, during the year 1880

To declare and establish rights only.											
Connected with immoveable property including pre-emption, foreclosure, &c.	Personal (unconnected with immoveable property).	For an account.	Relating to religious endowments.	To set aside judgments, contracts, or obligations on the ground of fraud.	For dissolution of marriage.	For enforcement of matrimonial rights.	For partition.	Relating to shipping.	Relating to religion and caste.	Total	Remarks.
13	14	15	16	17	18	19	20	21	22	23	
67	3	3	...	4	2	24	...	...	...	21,657	
1	4	...	...	10	...	8	...	...	...	3,676	
12	5	3	...	3	...	12	...	...	...	4,506	
6	7	...	...	...	3	11	...	...	...	6,630	
1	1	...	...	4	...	14	1	...	...	1,400	
40	3	9	...	23	...	29	...	...	...	6,156	
14	9	1	..	1	...	4	...	...	...	3,437	
...	...	...	...	5	...	1	1	...	...	1,736	
4	...	1	...	2	...	6	...	...	...	2,370	
...	1	...	...	...	...	11	...	...	...	649	
4	...	10	...	11	1	8	...	...	...	7,074	
17	...	...	...	9	...	9	...	...	...	2,996	
9	3	...	...	1	1	8	...	...	...	4,569	
3	...	..	...	10	...	11	...	...	...	3,731	
10	...	...	...	...	...	36	1	...	...	7,703	
77	3	2	...	8	...	17	...	...	...	6,384	
37	6	1	1	11	...	12	4	...	...	2,875	
8	...	1	2	9	...	10	...	...	...	3,517	
...	...	...	...	...	1	...	...	...	...	1	
310	45	31	3	111	8	231	7	...	...	91,067	
425	67	30	3	77	17	215	4	...	...	87,680	

Total in detail of values.

											Number of suits disposed of in different Courts.						
											Small Cause Courts.	Naib-Tahsildars' Courts.	Courts of the Tahsildar.	Courts of the Assistant Commissioner.	Courts of the Deputy Commissioner.	Courts of Commissioners.	Total value of suits (as computed under the Court Fees Act.)
											24	25	26	27	28	29	30
1	...	...	...	1	...	...	...	...	...	12,596	2,365	6,937	2,478	801	15	...	42,932
78	2	...	...	2	...	...	...	...	...	33,475	5,562	18,733	7,105	2,061	14	...	4,07,775
5	1	...	...	14	...	...	...	...	...	25,493	4,108	11,032	8,260	2,086	7	...	8,31,684
14	2	1	1	12	...	229	...	...	...	10,413	1,451	...	6,506	2,436	20	...	7,31,586
176	26	18	2	57	8	2	4	...	...	6,845	809	...	3,223	2,792	20	1	11,20,807
9	5	1	...	12	...	...	1	..	...	991	136	...	...	847	8	...	3,94,145
9	5	2	...	5	...	...	1	...	...	685	71	...	...	605	9	...	4,72,988
15	2	9	...	8	...	...	1	...	...	506	...	...	...	424	82	...	10,71,082
2	1	...	...	...	...	...	...	...	...	43	...	...	...	9	34	...	2,93,463
1	1	...	...	...	...	...	...	...	...	20	...	...	...	4	16	...	4,39,101
...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
310	45	31	3	111	8	231	7	...	...	91,067	14,502	36,702	27,572	12,065	225	1	58,65,563
425	67	30	3	77	17	215	4	...	...	87,680	14,182	32,416	29,787	11,063	229	3	58,19,515

No.

Statement showing the result of the trial of Original suits

Districts.	For disposal.						
	Remaining at close of previous year.	Re-instituted during the year (Sections 99, 108, 562, 625, Act X of 1877.)	Received by transfer from other Provinces during the year.	Instituted during the year (Section 58, Act X of 1877.)	Total.	Transferred to other Provinces.	Plaint rejected or returned after institution.
1	2	3	4	5	6	7	8
Nagpur	987	352	...	21,461	22,800	...	68
Chanda	83	54	...	3,714	3,851	...	11
Bhandara	253	93	...	4,448	4,794	...	24
Wardha	413	205	...	6,386	7,004	...	33
Balaghat	36	10	...	1,436	1,482	...	12
Jubbulpore	517	121	...	5,732	6,370	1	49
Saugor	104	85	...	3,379	3,568	...	13
Damoh	60	44	...	1,707	1,811	...	3
Seoni	66	35	...	2,329	2,430	...	12
Mandla	21	21	...	625	667	...	5
Hoshangabad	288	154	...	6,928	7,370	...	34
Betul	41	24	...	3,045	3,110	...	18
Narsinghpur	133	137	...	4,431	4,701	...	28
Chhindwara	82	49	...	3,795	3,926	...	23
Nimar	277	111	...	7,691	8,079	...	49
Raipur	373	96	...	6,236	6,705	...	57
Sambalpur	297	94	...	2,799	3,190	...	52
Bilaspur	130	46	...	3,506	3,682	...	34
Additional Commissioner Jubbulpore and Nerbudda Divisions ...	...	...	...	1	1	...	...
Total ... 1880 ...	4,161	1,731	...	89,649	95,541	1	525
Total ... 1879 ...	3,977	1,710	...	86,155	91,842	1	510

II.

in the Districts of the Central Provinces, during the year 1880.

Disposed of.											
Dismissed for default (Section 58, Act X of 1877)		Withdrawn with leave (Section 373, Act X of 1877)	Compromised		Decreed on confession (in full of claim)		Decreed *ex parte*.				
								Dismissed *ex parte*.		Total.	
Number	Percentage		Number	Percentage.	Number	Percentage	Decreed	Number	Percentage of total *ex parte*.	Number	Percentage of total disposed of.
9	10	11	12	13	14	15	16	17	18	19	20
3,176	14·7	322	2,495	11 5	6,096	28 2	4,465	68	1·5	4,533	20 9
470	12 8	39	524	14 3	1,258	34 2	654	13	1·9	667	18·1
789	17 5	68	387	8 6	1,389	30 8	866	56	6 1	922	20 5
1,110	16 7	369	255	3 8	1,568	23 7	1,115	185	14 2	1,300	19·6
287	20 5	9	120	8 6	319	22 8	240	10	4 0	250	17·8
1,216	19·8	38	729	11 8	1,380	22 4	744	37	4 7	781	12·7
553	16 1	26	759	22 1	868	25·3	308	32	9 4	340	9 9
363	20 9	16	395	22·8	379	21 8	127	17	11 8	144	8·3
405	17·1	16	361	15 2	620	26 2	237	3	1·2	240	10 1
155	23 9	5	138	21 3	126	19 4	68	3	4 2	71	10 9
1,559	22 1	60	912	12 9	1,521	21 5	1,061	50	4 5	1,111	15 7
614	20 5	15	508	17 0	792	26 4	364	4	1·1	368	12 3
819	17 9	12	316	6 9	1,240	27 2	626	28	4 3	654	14·3
693	18 6	7	448	12 0	1,228	32 9	566	30	5 0	596	16·0
1,615	21·0	51	743	9 7	2,235	29·0	895	63	6 6	958	12·4
1,330	20·8	106	1,298	20 3	860	13 5	814	118	12 7	932	14·6
612	21 3	24	425	14 8	533	18 5	222	13	5 5	235	8·2
713	20 3	12	860	24 5	490	13 9	307	24	7·2	331	9 4
...	...	...	...	...	...	...	...	...	...	...	...
16,479	18 1	1,195	11,673	12 8	22,902	25 2	13,679	754	5 2	14,43[illegible]	15·9
17,502	20 0	1,726	9,813	11 2	21,469	24 5	12,438	607	4 6	13,04[illegible]	14 9

Districts.	Disposed of—*Contd.*								
	(Contested and disposed of by.)						Total.		
	Judgment for plaintiff.				Judgment for defendant.				
	In whole of claim.		In part of claim.						
	Number.	Percentage on total contested.	Number.	Percentage on total contested.	Number.	Percentage on total contested.	Number.	Percentage on total disposed of.	Total.
	21	22	23	24	25	26	27	28	29
Nagpur	2,444	49·2	1,532	30·8	991	20·0	4,967	22·9	21,657
Chanda	372	52·6	183	25·9	152	21·5	707	19·2	3,676
Bhandara	350	37·8	321	34·6	256	27·6	927	20·6	4,506
Wardha	679	34·0	948	47·5	368	18·5	1,995	30·1	6,630
Balaghat	138	34·2	157	39·0	108	26·8	403	28·8	1,400
Jubbulpore	841	42·9	475	24·2	646	32·9	1,962	31·9	6,156
Saugor	379	43·2	295	33·6	204	23·2	878	25·5	3,437
Damoh	208	47·7	104	23·9	124	28·4	436	25·1	1,736
Seoni	302	42·2	253	35·3	161	22·5	716	30·2	2,370
Mandla	61	40·9	32	21·5	56	37·6	149	23·0	649
Hoshangabad	843	44·9	521	27·8	513	27·3	1,877	26·5	7,074
Betul	274	40·2	193	28·4	214	31·4	681	22·7	2,996
Narsinghpur	666	44·4	404	26·9	430	28·7	1,500	32·8	4,569
Chhindwara	311	42·2	194	26·4	231	31·4	736	19·7	3,731
Nimar	912	44·5	620	30·2	520	25·3	2,052	26·6	7,703
Raipur	568	31·5	704	39·1	529	29·4	1,801	28·2	6,384
Sambalpur	305	30·7	323	32·5	366	36·8	994	34·6	2,875
Bilaspur	288	26·8	414	38·4	375	34·8	1,077	30·6	3,517
Commissioner, Nagpur Division ...	...	...	...	...	1	100·0	1	100·0	1
Total ... 1880 ...	9,941	41·7	7,673	32·2	6,245	26·1	23,859	26·2	91,067
Total ... 1879 ..	9,941	42·1	7,366	31·2	6,307	26·7	23,614	26·9	87,680

II—*Contd.*

Pending.			Average.				Number of suits disposed of.								
			Duration of suits (in days and tenths.)		Number of hearings in suits disposed of.										
Total.	Over two and not over four months.	Over four months.	Contested.	Uncontested.	Contested.	Uncontested.	Instituted *in forma pauperis* (S. 410, Act X of 1877.	In which commission issued for local investigation (S. 92, Act X of 1877.)	In which commission issued to investigate or adjust accounts (Section 394, Act X of 1877).	In which commission issued to make a partition (Section 396, Act X of 1877).	In which reference was made to arbitrators.	In which any matter was decided on oath of party or witness.	In which any or two-thirds of a successful plaintiff which are not more than proportionate to the relief decreed are decreed against such plaintiff.	In which payment by instalments was decreed (Section 210, Act X of 1877).	Remarks.
30	31	32	33	34	35		36	37	38	39	40	41	42	43	44
1,143	80	1	37·9	16·9	3·8	1·5	1	70	95	...	28	166	1,449	853	
175	9	...	40·0	25·4	3·7	2·1	2	11	3	...	13	21	57	291	
288	15	...	33·0	22·7	2·7	1·7	1	28	20	...	4	32	26	138	
374	31	...	41·9	26·3	3·4	1·9	1	37	43	...	9	76	221	561	
82	4	...	32·8	25·5	2·6	1·6	...	5	2	..	1	7	34	44	
214	6	...	32·7	23·5	2·4	1·3	7	64	17	..	58	34	72	389	
131	6	2	32·3	20·7	3·2	1·8	6	27	25	...	48	19	259	352	
75	3	...	34·7	23·5	3·5	1·7	...	11	4	...	11	18	67	78	
60	...	...	30·6	22·0	2·1	1·7	3	5	1	...	8	37	40	234	
18	...	...	38·0	22·0	6·1	1·3	1	10	7	...	1	9	9	20	
296	5	1	36·0	24·0	2·7	1·6	...	29	50	...	16	35	366	349	
114	1	...	25·2	16·2	2·8	1·8	...	23	8	...	2	24	16	128	
132	2	...	35·1	18·6	2·9	1·5	...	63	34	...	14	37	51	343	
195	1	...	25·9	17·4	2·8	1·4	2	42	9	...	10	62	148	422	
376	5	1	34·8	27·9	2·5	1·7	...	41	37	...	17	33	47	786	
321	19	1	44·7	33·8	3·0	2·0	4	65	28	...	22	41	78	199	
315	55	1	57·6	34·3	4·6	2·0	3	104	4	...	20	62	5	115	
165	7	...	37·6	30·3	3·6	2·0	3	41	8	...	16	42	151	104	
...	...	...	11·0	...	2·0	...	...	...	...	...	...	...	...	...	
4,474	249	7	36·1	22·9	3·2	2·1	34	676	395	...	298	755	3,096	5,406	
4,162	284	20	34·3	23·0	2·4	2·4	25	793	435	3	393	745	3,526	5,561	

No.

Statement showing the Execution of Decrees in the Districts

Districts	Applications to execute decrees.					Struck off, execution for the time being ended and no coercive processes remaining in force.				
		Filed.								
	Pending from last year.	Verbally (Section 256, Act X. of 1877.)	In writing.	Received by transfer (i. e., first applications, on certificates from other Courts.)	Total	Decrees completely executed.	Decrees partially executed	Without execution.	Total.	Decrees of (columns 7, 8, executed by possession being given of specific property decreed.)
1	2	3	4	5	6	7	8	9	10	11
Nagpur .	1,200	19	14,200	469	15,888	3,989	3,526	6,515	14,030	137
Chanda .	216	15	2,041	29	2,301	797	569	652	2,018	19
Bhandara ..	326	4	2,105	54	2,489	813	534	761	2,108	28
Wardha ..	375	15	3,894	98	4,382	1,085	720	2,137	3,942	53
Balaghat	155	3	761	1	920	273	203	294	770	9
Jubbulpore .	366	84	2,665	123	3,238	1,090	860	1,082	3,032	127
Saugor ..	204	3	2,001	15	2,223	585	632	772	1,989	57
Damoh ..	74	...	708	13	795	273	216	248	737	31
Seoni	102	10	1,105	...	1,217	451	334	331	1,116	16
Mandla ..	8	1	219	8	236	58	65	107	230	3
Hoshangabad ..	656	9	5,233	2	5,900	1,441	1,746	2,250	5,437	113
Betul ..	168	4	1,666	14	1,852	480	463	700	1,643	33
Narsinghpur ..	418	11	3,267	29	3,720	958	1,164	1,316	3,438	79
Chhindwara ..	253	25	2,116	12	2,406	658	788	629	2,075	53
Nimar ..	371	6	4,294	...	4,671	1,530	849	1,915	4,294	16
Raipur ..	294	...	2,338	22	2,654	719	447	1,106	2,272	51
Sambalpur ..	182	...	1,114	...	1,296	520	210	314	1,074	48
Bilaspur ...	76	...	998	31	1,105	415	218	373	1,006	51
Total ... 1880	5,439	209	50,725	920	57,293	16,135	13,544	21,532	51,211	924
Total ... 1879	4,737	218	44,607	936	50,498	11,941	11,808	18,311	45,060	802

III.

of the Central Provinces, during the year 1880.

Pending.			Claims to attached property decided		Nature and number of coercive processes issued.							
							Moveable property.		Immovable property.			
Total.	Over two and not over four months.	Over four months.	For claimant in whole or part.	Against claimant.	Persons actually committed to prison.	Number of persons declared insolvent.	Number of warrants in execution of which attachment was effected.	Number of orders for sale executed.	Number of warrants in execution of which attachment was effected.	Number of orders for sale executed, and confirmed by Court and Collector.	Number of cases in which the property was disposed of by the Collector, by lease, mortgage, farm or management.	Temporary alienations authorized under Section 326, Act X. of 1877.
12	13	14	15	16	17	18	19	20	21	22	23	24
1,858	61	209	589	431	140	10	4,047	1,804	2,300	1,371	19	...
283	65	36	74	80	23	...	840	361	292	145	...	2
381	...	19	145	116	4	...	933	467	519	198	1	3
440	78	58	242	166	81	3	1,021	374	678	284	5	...
150	..	1	33	40	12	...	423	170	96	48	1	...
206	6	33	55	72	107	1	357	177	275	110	4	...
234	40	83	78	117	11	...	556	188	404	122	22	...
58	5	2	30	35	3	...	128	40	138	54	4	...
101	8	13	47	44	12	4	332	201	137	68	4	...
6	...	1	7	9	7	...	68	18	29	11	...	...
463	74	114	212	335	51	6	1,600	631	1,003	354	...	45
209	14	20	75	92	12	...	585	227	385	115	1	1
282	38	35	98	129	12	...	1,019	362	959	330	12	6
331	23	12	88	115	39	...	892	490	468	213	...	6
377	67	21	179	162	49	...	489	180	565	208	3	1
382	1	6	42	36	10	3	578	260	165	75	...	...
228	2	...	4	8	9	...	301	115	78	15	...	...
99	10	1	27	10	13	2	247	121	37	24	1	...
6,082	492	664	2,025	1,992	595	29	14,416	6,174	8,528	3,745	77	64
5,428	639	314	1,657	1,596	617	56	12,280	5,512	7,381	3,518	40	38

No. IV.

Statement showing the Appellate Business of the Courts of the Central Provinces, for the year 1880.

COURTS.		For disposal.				Disposed of													Pending.		Number of cases in which objections under Section 161, Act X of 1877, were		Average duration of each appeal tried.
								Heard *ex parte*.					Contested.										
								Confirmed.			Reversed.				Reversed.								
		Remaining at close of previous year.	Received by transfer from other Provinces.	Instituted or re-admitted	Total.	Transferred to other Provinces.	Dismissed for default, or under Sections 556, 557, Act X. of 1877.	Without notice to respondent.	After notice to respondent.	Modified.	Without remand under S 562, Act X of 1877.	And remanded under S 562, Act X of 1877	Confirmed.	Modified.	Without remand under S 562, Act X of 1877	And remanded under S. 562, Act X of 1877.	Total.	Total.	Over four months.	Preferred.	Allowed, (because successfully maintained.)	
1		2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
Judicial Commissioner..	From Decrees ordinary.	111	4	417	532	215	9	...	2	...	8	4	58	21	55	59	431	101	12	...	...	70·6
	„ Rent Law ...	3	...	46	49	25	...	...	1	...	1	1	6	..	6	4	44	5	..	...	...	48·1
	„ Orders ...	1	...	40	41	29	...	...	...	..	1	...	2	..	1	...	33	8	1	...	...	33·0
Commissioner. Nagpur ...	From Decrees ordinary.	31	..	95	126	...	3	3	3	...	1	1	53	17	15	11	107	19	...	7	3	80·8
	„ Rent Law ...	16	..	79	95	...	2	2	6	3	...	...	37	3	14	15	82	13	..	...	...	65·5
	„ Orders ...	1	...	13	14	..	1	2	1	...	...	...	3	..	4	...	11	3	...	...	...	24·4
Nerbudda ...	From Decrees ordinary.	2	...	7	9	...	...	...	...	...	2	..	5	1	..	...	8	1	1	...	...	42·5
	„ Rent Law ..	8	...	96	104	...	9	...	...	...	...	...	54	3	21	9	96	8	...	...	...	34·2
	„ Orders ...	...	...	...	...	...	...	...	...	...	...	...	...	..	...	...	...	...	...	...	...	...
Addl. Commr. Ner. & Jub. Dns...	From Decrees ordinary.	26	..	497	523	..	10	5	12	1	6	6	226	42	95	81	484	39	...	3	2	25·4
	„ Rent Law ...	7	..	91	98	..	3	2	5	1	3	...	44	6	24	3	91	7	...	...	...	28·5
	„ Orders ...	2	..	76	78	...	1	19	10	...	3	2	16	1	17	5	74	4	...	...	...	20·1
Chhattisgarh ...	From Decrees ordinary.	4	..	61	65	..	4	...	5	3	2	...	25	16	5	4	64	1	...	...	...	80·5
	„ Rent Law ...	21	...	97	118	...	11	...	15	7	6	6	37	9	9	15	115	3	...	...	...	57·5
	„ Orders ...	...	..	6	6	..	1	1	...	...	...	...	2	2	...	...	6	...	...	...	...	62·1
Total in Courts of Commissioners.	From Decrees ordinary.	63	...	660	723	..	17	8	20	4	11	7	309	76	115	96	663	60	1	10	5	39·9
	„ Rent Law ...	52	...	363	415	..	25	4	26	11	9	6	172	21	68	42	384	31	..	...	...	46·5
	„ Orders ...	3	...	95	98	..	3	22	11		3	2	21	3	21	5	91	7	...	...	...	23·4

Deputy Commissioner.	Nagpur	From Decrees	17	...	286	303	...	17	24	...	...	...	2	164	23	38	22	290	13	...	...		1	29·4
		„ Orders	...	..	11	11	...	3	3	...	...	...	...	3	...	.	2	11	...	...	...	...		21·6
	Chanda	From Decrees	3	...	69	72	...	8	6	3	3	2	2	21	8	9	3	65	7	...	...	...		34·2
		„ Orders	...	..	3	3	...	1	1	1	...	...	...	...	...	...	...	3	...	..	...	...		21·6
	Bhandara	From Decrees	14	...	104	118	...	9	35	3	2	3	...	22	12	13	13	112	6	1	...	...		27·4
		„ Orders	...	...	5	5	...	...	5	...	...	...	...	...	...	...	...	5	...	..	...	...		17·0
	Wardha	From Decrees	3	...	228	231	...	17	4	18	6	4	...	95	20	40	17	221	10	...	...	...		28·9
		„ Orders	...	...	13	13	...	...	4	3	...	...	...	4	...	...	1	12	1	...	...	...		20·7
	Balaghat	From Decrees	1	...	34	35	...	5	2	3	...	2	...	19	...	1	1	33	2	...	...	...		19·6
		„ Orders	...	...	1	1	...	...	...	...	...	...	...	...	...	1	...	1	...	...	...	...		12·0
	Jubbulpore	From Decrees	2	...	154	156	...	11	...	4	...	2	1	74	15	24	19	150	6	...	...	...		29·7
		„ Orders	...	...	4	4	...	1	1	...	...	...	1	...	...	...	1	4	...	...	...	...		19·2
	Saugor	From Decrees	8	...	156	164	...	9	...	19	4	8	3	72	11	23	6	155	9	...	...		1	19·0
		„ Orders	1	...	9	10	...	...	...	1	...	...	...	9	...	...	...	10	...	...	...	...		23·5
	Damoh	From Decrees	6	...	84	90	...	3	...	4	2	1	...	53	2	10	5	80	10	...	...	...		20·4
		„ Orders	...	...	7	7	...	2	...	...	...	...	...	2	...	...	3	7	...	...	...	...		17·4
	Seoni	From Decrees	3	...	77	80	...	3	16	1	...	...	...	26	12	16	2	76	4	...	...	...		25·0
		„ Orders	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...		...
	Mandla	From Decrees	5	..	29	34	...	3	11	4	...	1	....	3	1	7	1	31	3	1	...	...		26·4
		„ Orders	...	...	5	5	...	...	4	...	...	...	...	...	...	...	...	4	1	...	...	...		13·0
	Hoshangabad	From Decrees	18	...	343	361	...	18	1	15	5	5	10	173	21	55	28	331	30	...	..	...		26·5
		„ Orders	1	...	22	23	...	2	5	3	...	...	2	3	...	3	3	21	2	...	...	...		20·0
	Betul	From Decrees	9	...	133	142	...	8	1	3	3	1	...	89	14	20	1	140	2	...	...	...		26·9
		„ Orders	1	...	2	3	...	...	...	..	...	...	...	2	...	...	1	3	...	...	...	...		14·3
	Narsinghpur	From Decrees	27	...	246	274	...	31	...	10	9	2	2	105	32	21	42	254	19	...	...	...		27·6
		„ Orders	4	...	9	13	...	3	...	...	..	...	...	4	1	1	4	13	...	...	...	...		43·7
	Chhindwara	From Decrees	11	...	136	147	...	8	46	6	10	8	1	34	9	14	2	138	9	...	...	...		25·4
		„ Orders	...	...	2	2	...	...	...	...	...	1	...	...	...	1	...	2	...	..	...	...		14·0
	Nimar	From Decrees	16	...	236	252	...	16	...	17	...	3	1	123	17	31	17	225	27	1	...	...		41·2
		„ Orders	1	...	9	10	...	1	1	2	...	...	...	2	1	3	...	10	...	...	...	...		30·6
	Raipur	From Decrees	26	...	341	367	..	27	19	..	...	...	...	165	43	43	31	328	39	...	...	...		24·2
		„ Orders	...	...	18	18	...	1	11	...	...	...	...	3	1	1	1	18	...	...	...	...		21·1
	Sambalpur	From Decrees	40	...	293	333	...	12	27	37	...	2	2	118	22	44	18	282	51	2	...	...		34·2
		„ Orders	3	...	14	17	...	...	...	1	...	1	...	7	4	2	...	15	2	...	...	...		18·8
	Bilaspur	From Decrees	8	...	136	144	...	12	21	1	...	1	3	57	6	25	9	135	9	...	...	...		36·4
		„ Orders	...	...	5	5	...	...	2	...	...	...	...	...	...	2	...	4	1	...	...	...		20·2
	Total in Courts of Dy. Commissioners	From Decrees	217	...	3,085	3,302	...	217	213	148	44	45	27	1,413	268	434	237	3,046	256	5	...		2	28·7
		„ Orders	11	...	139	150	...	14	37	11	...	2	3	59	7	14	16	143	7	...	...	...		22·6
	Total in all Courts	From Decrees ordinary	391	4	4,162	4,557	215	243	221	170	48	64	38	1,780	365	604	392	4,140	417	18	10		7	34·8
		„ Rent Law	55	...	409	464	25	25	4	27	11	10	7	178	21	74	46	428	36	...	...	...		46·7
		„ Orders	15	...	274	289	29	17	59	22	...	6	5	62	10	36	21	267	22	1	...	...		24·2
		Grand Total	461	4	4,845	5,310	269	285	284	219	59	80	50	2,020	396	714	459	4,835	475	19	10		7	35·3

No.

Statement of Process Fees

COURTS.		(1) Fees levied. In separate detail for each Court.								
		On processes directed to be served by European bailiff (Special Rule I).		On other processes issued.			For assessing in distraint (Special Rule III.)	Additional Fees.		Grand total of fees levied (Columns 2 to 9.)
		At Rs. 4 rate.	At Rs 1 rate.	At Rs. 1 rate.	At As. 8 rate.	At As. 4 rate.		Under Special Rule. IV.	Under Special Rule. V.	
1		2	3	4	5	6	7	8	9	10
		Rs.	Rs.	Rs.	Rs. a	Rs. a		Rs. a.	Rs. a	Rs. a.
Nagpur ...	Civil	136	270	6,710	6,687 8	17,744 4	6 8	107 4	79 4	31,740 12
	Revenue	...	..	62	173 0	1,148 0		2 4	. .	1,385 4
Chanda	Civil	..	...	1,575	1,359 0	3,266 12	...	10 4	15 8	6,226 8
	Revenue ..	...		37	23 0	179 8	...	...	.....	239 8
Bhandara ...	Civil	...	...	352	1,862 0	3,380 4	...	... ..	3 12	6,098 0
	Revenue	.	...	25	93 0	400 0	..	. ....		518 0
Wardha ...	Civil		...	3,448	1,542 0	6,150 8	4 0	451 0	2 0	11,597 8
	Revenue ...	...	...	106	55 0	899 8	...	1 12	...	1,062 4
Balaghat ...	Civil	...	...	205	589 0	1,306 12	...	15 12	... ..	2,116 8
	Revenue ..			1	9 8	86 4	...	.....	.....	96 12
Jubbulpore ...	Civil ..	62	141	2,048	713 0	5,258 12	...	123 12	30 4	8,376 12
	Revenue ..	..	...	207	241 8	972 12	...	.....	5 0	1,426 4
Saugor ..	Civil	...	...	537	1,430 8	3,600 0		23 4	9 12	5,600 8
	Revenue ...	...	...	50	79 0	387 0	..	.. ..	.....	516 0
Damoh ...	Civil ..		...	212	369 8	1,497 12		49 0	.....	2,128 4
	Revenue	...	. .	25	36 8	145 12	...	18 0	... .	225 4
Seoni ...	Civil ..	...	...	643	591 0	1,805 12	...	. .	.....	3,030 12
	Revenue ..	...	...	58	39 0	223 12	.	..	.....	320 12
Mandla ..	Civil ..	...	...	62	106 0	475 8	...	. ....	0 4	643 12
	Revenue ...	...	...	4	2 8	33 12	..	.....		40 4
Hoshangabad ...	Civil	...	...	3,509	2,568 8	6,769 4	56 0	411 0	....	13,313 12
	Revenue .	...	.	124	172 8	425 0	17 0	7 8	.....	746 0
Betul ...	Civil ..	...	...	532	1,583 8	2,112 4	.	87 4	.....	4,315 0
	Revenue ..	...	...	63	82 0	181 12	...	5 4	....	332 0
Narsinghpur ..	Civil ..	...	...	1,565	2,614 8	4,311 0	...	11 0	.....	8,501 8
	Revenue ..	...	...	166	183 0	812 12	...	.....	.....	1,161 12
Chhindwara ...	Civil ..	...	...	865	1,771 0	3,275 4	...	44 8	.....	5,955 12
	Revenue ..	...	...	30	59 0	264 4	..	.....	.....	353 4
Nimar ...	Civil ..	...	...	1,308	2,142 8	5,194 8	...	62 4	0 4	8,707 8
	Revenue ..	...	...	24	15 8	92 4	...	... ..	.....	131 12
Raipur ...	Civil ..	...	...	761	1,179 8	4,490 4	...	.....	.....	6,430 12
	Revenue ...	...	...	82	113 8	415 4	...	.....	.....	610 12
Sambalpur ...	Civil ..	...	...	698	432 0	2,411 0	...	.....	.....	3,541 0
	Revenue ...	...	...	89	78 0	306 8	. .	.....	.....	473 8
Bilaspur ...	Civil ...	...	...	289	502 8	2,325 12	...	9 12	.....	3,127 0
	Revenue ...	...	...	91	69 8	453 0	...	0 12	.....	614 4
Total ...	Civil ...	198	411	25,319	28,043 8	75,875 8	66 8	1,406 0	141 0	1,31,460 8
	Revenue ...	...	...	1,244	1,525 0	7,427 0	17 0	35 8	5 0	10,253 8
	Grand Total ...	198	411	26,563	29,568 8	83,302 8	83 8	1,441 8	146 0	1,41,714 0

V.

for the year 1880.

(2) Charges.												
In separate detail for each Court or set of Courts having a joint establishment.									Collectively for the Province.			
Naib Nazirs.		Salary of European bailiff.	Peons.						Contingencies.			Remarks, as (1) Number of processes re issued without charge (Special Rule VI).
			1st Class at Rs. 10.		2nd Class at Rs. 8.		3rd Class at Rs. 6.					
Number.	Total salary.		Number on last day.	Total salary.	Number on last day.	Total salary.	Number on last day.	Total salary.	Heads of charges, *e. g.*, process forms, registers, other stationery, official postage, servers' badges, furniture, &c.	Amount.	Grand total of all charges (Columns 12, 13, 15, 17, 19, and 21.)	
11	12	13	14	15	16	17	18	19	20	21	22	23
	Rs.	Rs.		Rs.		Rs.		Rs.		Rs.	Rs.	
10	2,278	720	13	1,545	12	1,148	103	7,586	Binding, Printing, Stationery charges, Badges, and Official Postage.	265	13,542	167
2	360	...	1	116	4	369	29	1,793		18	2,666	3
2	359	...	3	360	3	288	31	1,903		...	2,910	50
5	699	...	3	303	4	360	38	2,484		32	3,878	34
1	180	...	1	118	1	86	12	773		...	1,157	106
2	421	720	6	673	4	378	33	2,563		151	4,906	199
3	656	...	3	354	3	285	39	2,554		163	4,012	83
2	286	...	2	139	...	...	12	1,241		20	1,686	8
1	180	...	2	240	1	90	14	1,093		7	1,610	1
...	...	...	1	91	...	...	8	559		9	659	5
4	769	...	8	856	3	221	32	3,144		...	4,990	45
2	415	...	2	253	1	121	20	1,199		3	1,991	19
3	597	...	4	480	5	427	33	2,586		89	4,179	116
2	419	...	4	455	3	253	25	1,847		4	2,978	79
2	420	...	6	716	1	96	29	2,041		81	3,354	25
1	237	...	2	240	2	154	35	2,577		2	3,210	59
2	34	...	2	126	2	106	19	965		4	1,235	530
2	360	...	2	240	2	192	19	1,588		...	2,380	1,056
46	8,670	1,440	65	7,305	51	4,574	531	38,496		848	61,333	2,585

No. $\frac{915}{51}$

FROM

LINDSAY NEILL, ESQUIRE, C. S.,

OFFG. SECRETARY TO THE CHIEF COMMISSIONER,

Central Provinces.

To

THE REGISTRAR, JUDICIAL COMMISSIONER'S COURT,

Central Provinces.

Dated Nagpur, the 16th March 1882.

SIR,

I am directed to acknowledge your Report with the prescribed Statements on the administration of Civil Justice during the year 1881, which reached the Chief Commissioner in print on the 7th instant.

Number of Courts open.

2. The number of Civil Courts open in the Province at the close of the year was 155, being four in excess of the number of last year, and the accession to the Provincial strength occurred entirely in the Courts of the Naib Tahsildar. A Naib Tahsildar with civil powers was appointed to the Head-quarters of the Sambalpur district. The Naib Tahsildars of Lakhnadon and Gadarwara were invested with civil powers, and an additional Naib Tahsildar with civil powers was appointed to the Murwara tahsil of the Jubbulpore district.

Institutions.

3. There were 89,903 suits instituted in 1881 against 91,379 in 1880. There has accordingly been a slight decline in litigation, but the number of suits instituted in 1881 is larger than that of any year previous to 1880. The general tendency of litigation in these Provinces to advance which has repeatedly been noticed seems still established. In 12 districts there was an advance in litigation, and in 6 a decline. The districts in which the decline occurred are Nagpur, Saugor, Seoni, Betul, Nimar and Chhindwara. An analysis of the statistics of institutions given in page 3 of your report brings out the circumstance that the chief decline in civil business has occurred in the Courts of Small Causes. Thus in the Nagpur Small Cause Court institutions decreased by 734; in Kamptee by 521. In the Jubbulpore City Small Cause Court there was a small increase of 32 suits, but in the Cantonment Court a decrease of 137. In the Saugor Cantonment Small Cause Court suits declined by 68, and in the Asirgarh Cantonment Court by 32. This decline of business in Small Cause Courts seems therefore the most salient feature of the year, and the subject is referred to in the following terms in paragraph 8 of your report:—

> "In explanation of this phenomenon the following facts may be considered. Low prices of produce benefit primarily the poorer classes, and especially that section of them which is non-agricultural and is employed in petty trading or in daily labour. In districts therefore where there are both Military Cantonments and a large urban population, the amount of business which the Small Cause Courts have to dispose of is considerably affected by the price of produce. What is saved from the cost of necessaries goes in reduction of debt. In the case of cultivators who have to dispose of their produce in order to make cash payments, the cheapness of food staples is not so immediate an advantage. Hence we find that the low prices of 1881 have had a striking effect upon the litigation in Small Cause Courts."

These remarks seem to the Chief Commissioner correct, and he would add that probably some further cause has operated to lessen the institutions in Cantonment Small Cause Courts, for the decline of Civil business in them is specially marked. The Kamptee Cantonment Court shows fewer institutions than in any of the last 13 years. At Jubbulpore there were in no previous year so few institutions, and at Asirgarh fewer institutions occurred only in 1867, the first year for which figures are available.

Value and description of suits.

4. In former years the values of suits disposed of were given, and under a change of system the figures for the present year exhibit the values of suits instituted. 77 per cent of the suits instituted were for sums less than Rs. 50, and 89 per cent were for sums below Rs. 100. The figures approximate very closely to those reported last year in regard to suits *adjudicated*. In that year more than 78 per cent of the total number were for sums less than Rs. 50, and 90 per cent were for sums below Rs. 100.

Petty litigation is a necessary feature in rural tracts and in districts with a poor urban population, and the districts which show the largest percentages in suits below Rs. 50 in value are Nagpur 81, Chanda 82, Balaghat 81, Damoh 82, Chhindwara 81, Raipur 81, Sambalpur 81, and Bilaspur 88. On the other hand, Narsinghpur and Hoshangabad, rich districts in the Nerbudda Valley, show the highest percentages in suits of higher values.

Only 4,446 or 5 per cent of the total number of suits were connected with immoveable property or related to title. Of these, 3,454 related to immoveable property. The districts in which such suits are most numerous are Nagpur and Balaghat, where they numbered 448 and 428 respectively.

There were 85,457 suits for money or moveable property, and 51 per cent of these were on contracts in writing. The growing popularity of written records of dealings is everywhere noticeable. Such popularity seems greatest in the districts of the Nagpur Division.

Disposal of suits.

5. The total number of suits disposed of during the year 1881 was 88,768, and their distribution among the various grades of Courts was as follows :—

Small Cause Courts	...	...	12,520	or 14·1	per cent.	
Naib Tahsildars	...	...	40,234	„ 45·4	„	„
Tahsildars	...	...	24,883	„ 28	„	„
Assistant Commissioners	...	...	10,921	„ 12·3	„	„
Deputy Commissioners	...	...	210	„ 2	„	„

In each successive year a larger proportion of the civil business is dealt with by Naib Tahsildars. In 1876 they disposed of only 28·3 per cent of the year's work; last year they took up a little over 40 per cent of the work, and in the present year they have taken up over 45 per cent of the work.

Naib Tahsildars.

6. The power to give Naib Tahsildars civil jurisdiction up to Rs. 50 and to prescribe the local limits within which Naib Tahsildars so invested shall exercise such powers is contained in Section 6 of Act No. XIV. of 1865 (an Act to define the jurisdiction of the Courts of Civil Judicature in the Central Provinces) and in almost every year it has been found necessary to make a wider use of such powers. The creation of a considerable number of Naib Tahsildars for primary employment in the disposal of Civil suits is no doubt a step towards a separation of Judicial from executive offices, but the Chief Commissioner is not yet prepared to accomplish a complete separation. When the amount of business and the public convenience require it the establishment of a Court presided over by a Naib Tahsildar with Civil powers is a necessity, but it is very important to satisfy ourselves regarding the qualifications and good repute of the officials appointed as Civil Naib Tahsildars. The general class of cases which come before such officers is mostly very simple, and in the majority there is no actual conflict between the parties. But provision has to be made for the few exceptional cases involving issues of a more difficult and complicated character, and it is important to remember that although a Naib Tahsildar can only hear suits of very small pecuniary value and his decisions are open to appeal, these suits generally affect the poorer classes who can least afford to pay for an appeal. The problem then is to secure men of good or superior ability for offices of an inferior grade, and this can, as has been pointed out by the Government of India, best be done by so regulating the pay of Naib Tahsildars as to

make these appointments a prize and a stepping stone to Tahsildarships. In the coming year the Chief Commissioner hopes to take measures for improving the position and prospects of Naib-Tahsildars, and something has, as is pointed out in your report, been done in the year which has closed. Naib-Tahsildars are now required to pass the prescribed examination in Civil Law and Procedure. This will, at least, ensure an acquaintance with Law and Procedure. On the whole, District Officers report favorably of the qualifications and character of the Naib Tahsildars. In paragraph 3 of your report you remark that the Deputy Commissioners of Raipur, Bhandara and Balaghat comment on the judicial failings of some of the Naib Tahsildars. The Chief Commissioner has referred to the District reports and finds that the Deputy Commissioner of Raipur complains that the position of Naib-Tahsildar is not popular, because it is considered not to lead to anything better. This misconception will be removed. The Deputy Commissioner of Bhandara does not speak well of his two Naib Tahsildars He complains of the youth and celerity of one and of the age and dullness of the other. But the Chief Commissioner notices that the Deputy Commissioner hardly speaks more favorably of the Tahsildars. In Balaghat the Deputy Commissioner notes that durations in the Naib Tahsildar's Court were rather long, and appeals from his decisions numerous, but otherwise his notice of the Naib Tahsildar is not unfavorable. On the other hand, there is a considerable body of testimony favorable to Naib Tahsildars, and officers with large experience think that the Civil work of Naib Tahsildars does not contrast unfavorably with that of Tahsildars.

Manner in which suits were disposed of

7. The statistics as to the disposal of suits may be summarized as follows: 64,892 suits or 73·1 per cent of actual disposals were disposed of without contest, and of these 21,790 or 24·5 per cent of the year's disposals were decreed on confession. These percentages correspond very closely with those of previous years.

Contested suits numbered 23,358 or 26 3 per cent of the year's disposals. In 10·9 per cent of these cases judgment was given for the plaintiff in whole, in 8·7 per cent for the plaintiff in part, and in 6·7 per cent for the defendant in whole. Contested cases are most numerous in the districts of Wardha, Jubbulpore, Seoni and Sambalpur, and defendants seem to have been specially successful in resisting claims in the Courts of Jubbulpore and Sambalpur.

Arbitration, &c.

8. References to arbitration, the issue of commissions for local investigation or to examine accounts and decisions on special oath were all fewer during 1881 than during 1880, and these decreases are not matter for regret. It seems true, as stated by you, that the decision of a Judge is preferred to the decision of a body of arbitrators, and, as a general rule, arbitration is probably not resorted to without suggestion or pressure on the part of the Judge. In former years a tendency was observed on the part of some Judges to issue commissions as a last resource to relieve themselves of troublesome enquiries, and it was also found that the issue of commissions was one of the most fruitful sources of unnecessary delay in disposing of cases. The decline in the number of commissions issued during 1881 is not unsatisfactory. The desire to take advantage of the provisions of the Oaths Act seems to be growing weaker, and, as has been before remarked, the Chief Commissioner believes that special oaths are generally proposed when the parties either have no evidence to adduce, and when one of them loses his temper and agrees to abide by the statement of his adversary if made on some special form of asseveration.

Payment of decrees by instalments

9. The procedure of directing payment of decrees by instalments is largely affected by the practice of individual Judges, but the rule laid down for the guidance of Judges is that the power should only be exercised if in view of the origin and nature of a debt and on a right understanding of the conditions of repayment, whether expressed or implied, it seems that recovery by instalments is all that a plaintiff has a right to look for, or if other sufficient reason for decreeing payment by instalments be apparent. Payment of decrees by instalment should

not be ordered either with a view to deter creditors from instituting suits and obtaining their just rights, or with the object of rewarding confessing debtors. In many cases payment by instalment is just and appropriate, and is unfair to neither party, and Judges should always be able to assign a proper reason for the orders they pass.

Duration of suits.

10. The average duration was 39·5 days in contested and 25·1 days in uncontested cases. These averages are somewhat higher than those of the previous year, and are said to have been in part caused by Courts being closed for 12 days in February on account of Census operations. The Courts in which durations were longest were the Courts of the Chhattisgarh Division, and the Courts of Nimar, Wardha, and Balaghat. It is satisfactory to learn that the Deputy Commissioners of the three last named districts have suggested a more intelligent system of apportioning work among process-servers, for experience has shown that an absence of intelligence in fixing reasonable dates for the return of processes is a fertile cause of adjournments and postponements.

Appellate work.

11. Appeals to Deputy Commissioners from decrees were 3,084 and from orders 140, there being one appeal less from decrees and one more from orders than in 1880. In the Courts of Deputy Commissioners 6 per cent of appeals were confirmed without notice to respondent, and 51 per cent after notice; in 19 per cent the decree was reversed, and in 9 per cent it was modified; in 7 per cent the cases were remanded for retrial, in 8 per cent dismissed for default. Some Deputy Commissioners seem to favor particular methods of disposal. Thus the Deputy Commissioners of Chanda, Seoni and Hoshangabad confirmed 37, 40 and 26 per cent of decrees without issue of notice to the respondent; the Deputy Commissioner of Jubbulpore remanded most cases for retrial, the Deputy Commissioners of Bhandara and Mandla reversed most and confirmed fewest decrees.

The appeals to Courts of Commissioners were from decrees 568 and from orders 74. In 1880 the appeals from decrees numbered 660, so that there has been a large decline. The appellate work of Commissioners was dealt with thus: in 2 per cent the decree was confirmed without notice to the respondent, in 52 per cent the decree was confirmed after notice; in 22 per cent the decree of the lower Court was reversed; and in 9 per cent the decree was modified; in 14 per cent the appeals were remanded for retrial, and in 1 per cent appeals were dismissed for default. The appellate work of the Commissioners of the Nerbudda and Chhattisgarh Divisions is very small. The Additional Commissioner of the Nerbudda and Jubbulpore Divisions remanded a considerable number of cases for retrial.

In the Court of the Judicial Commissioner 408 appeals were dealt with. In 51 per cent decrees were confirmed without notice to the respondent, and in 13 per cent decrees were confirmed after notice; in 15 per cent the decree of the lower Court was reversed, and in 4 per cent modified; 16 per cent of appeals were remanded for retrial, and 1 per cent dismissed for default. Altogether the percentage of confirmations in the several classes of Appellate Courts and durations are

Judicial Commissioner ...	64 per cent ...	118·6 days.
Commissioner ...	54 per cent ...	32·4 days.
Deputy Commissioner ...	57 per cent ...	29·4 days.

12. Of the 583 persons sent to Jail in execution of decree, about one-fourth applied to be declared insolvent. No less than 62 of the applications were at a later stage withdrawn, 56 were rejected, and 64 were declared insolvent. In 1879 the number declared insolvent was 56, and in 1880, 29. As was natural most of the applications were filed in the Courts of Nagpur and Jubbulpore. It is somewhat surprising that, considering the large number of rejected applications, there have been no cases in which fraudulent bankrupts were sentenced to imprisonment by the Insolvency Courts, and that there has only been only one

case in which the applicant was sent to the Magistrate to be dealt with according to law. As the District Officers of Nagpur and Jubbulpore impugn the honesty of the majority of applications in insolvency, which they say are chiefly presented by unscrupulous debtors, it would seem that the Courts have not sufficiently exercised the penal powers which the law confers on them.

13. These are all the remarks which the Chief Commissioner considers it necessary to make on your report, which is a succinct and clear account of the year's work. The Chief Commissioner is glad that the Officiating Judicial Commissioner arranged during the late camping season to inspect the Courts of the Chhattisgarh Division. These are so far distant from Nagpur that their inspection is a matter of difficulty, and the Chief Commissioner believes that this is the first time that a Judicial Commissioner has inspected the Sambalpur Courts.

In conclusion the Chief Commissioner desires me to express his appreciation of the energetic control and vigorous superintendence exercised over the Civil Courts by Mr. C. H. T. Crosthwaite, Judicial Commissioner, from the beginning of the year up to the 15th of June, and by Mr. J. W. Neill, Officiating Judicial Commissioner, from the 16th of June to the end of the year.

I have the honor to be,

Sir,

Your most obedient Servant,

LINDSAY NEILL,

Offg. Secretary.

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No. 231.

FROM

THE REGISTRAR,

JUDICIAL COMMISSIONER'S COURT,

Central Provinces.

To

THE SECRETARY TO THE CHIEF COMMISSIONER,

Central Provinces.

Dated Nagpur, the 20th February 1882.

SIR,

I have the honor to submit the Civil Statements for the year 1881, the Headings of which are noted at the side of this paragraph, with the following remarks :—

Prescribed	*Additional.*
1 —Tribunal Statement	I —Institutions of suits
7 —Number and description of suits instituted.	II —Value of suits instituted
8 —Number and value of suits instituted.	III —Trial of original suits
9 —Result of trials, Parts I and II	IV — „ „ miscellaneous cases.
10 —Appeals, Parts I and II.	V.—Regular Appeals
11 —Execution of decrees	VI —Miscellaneous Appeals
12 —Insolvency proceedings.	VII.—Execution of decrees
13 —Juries and assessors	VIII —Process fees
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A.—THE TRIBUNALS.

1. The number of Civil Courts in these Provinces, open at the close of 1880 and 1881 respectively, are compared in the margin.

	1880	1881.
Court of the Judicial Commissioner.	1	1
Courts of the Commissioner	3	3
Court of the Additional Commissioner	1	1
Courts of the Deputy Commissioner	18	18
Courts of the Assistant Commissioner	36	36
Courts of the Tahsildar	51	51
Courts of the Naib Tahsildar	34	38
Total	144	148
Courts of Small Causes in Cantonments	4	4
Courts of Small Causes in Nagpur and Jubbulpore*	2	2
Grand Total	150	154

2 The increase in the number of tribunals was due to the appointment of a Naib Tahsildar with civil powers to the head-quarters of the Sambalpur district and to the investment with civil powers of the Naib Tahsildars of Lakhnadown in the Seoni district and Gadarwara in the Narsinghpur district. Also to the appointment of an additional Naib Tahsildar with Civil powers to the Murwara tahsil in the Jubbulpore district.

3. The appointment of a Naib Tahsildar has afforded great relief to the Station Court at Sambalpur. The Deputy Commissioner of Bilaspur asks (as did his predecessor, last year) for the appointment of a Naib Tahsildar to the head-quarters of that district. In all the other districts the Judicial staff is reported to be sufficient. The Deputy Commissioners of Raipur, Bhandara and Balaghat remark on the judicial failings of some of the Naib Tahsildars. The question of the legal training required by these officers was dealt with by the Chief Commissioner in his review of last year's report, and the matter has since been made the subject of Circular instructions (Chief Commissioner's Book Circular No. XIX, dated 21st October 1881.)

*In each of the Courts of Small Causes of Nagpur and Kamptee, the Registrar sits as a separate Judge or Court.

Mukhtars and petition writers.

4. The orders of this Court with regard to the exclusion of uncertificated mukhtars and petition writers have been very generally carried out, and almost every District officer reports favourably of the results. Of course native ingenuity has found means to evade the rules in some cases, and the Courts have not always time to inquire rigorously into the real *status* of the law agents who appear before them; but it is sufficient for the present to recognize the fact that the worst class of mukhtars now find it difficult to take up cases in the character of recognized agents. Although unlicensed petition writers no longer frequent the verandahs and compounds of the Court-houses, they are said to cause annoyance in some districts by touting for hire on the public road way in the neighbourhood of the Cutcherry. This seems to be a matter which could be easily dealt with by a municipal regulation.

Local Bar.

5. The Local Bar consists of four Barristers-at-law, two of whom reside at Nagpur, one at Jubbulpore, and one at Raipur, one Attorney-at-law and sixty-six Pleaders, whose local distribution is ordinarily as follows:—

Town.	No.	Town.	No.
Nagpur	13	Seoni ...	1
Bhandara	3	Hoshangabad ...	7
Wardha	6	Harda ...	4
Arvi	1	Narsinghpur ...	8
Jubbulpore	11	Khandwa ...	2
Saugor	4	Burhanpur ...	1
Rehli	1	Raipur ...	2
Damoh	2		

At the examination of local candidates for admission as Pleaders held at Nagpur in October under Act XVIII of 1879, only one candidate was passed by the Board of examiners.

Holidays.

Year. ...		...	365 days.
Deduct holidays.			
Summer vacation from 15th May to 15th June ..	31		
undays in 11 months ...	47		
Civil Courts casual holidays ...	43	121	
(Excluding two intervening Sundays and Queen's Birth day) Open days ...		244	

6. During the year the Courts were open on 244 days as per margin.

B.—Extent and Character of Litigation.

1. Number of Suits.

The two following tables show *(a)* the variations in the number of suits instituted and reinstituted which have occurred in each District of the Central Provinces since the year 1862; and *(b)* the same variations in detail for each place where one or more Civil Courts are established, the figures in this case, however, being limited to the period of five years.

TABLE (A.)

Statement showing the number of Suits instituted and re-instituted in each District of the Central Provinces from 1862 to 1881.

Year.	Nagpur. District.	Nagpur. City Small Cause Court.	Nagpur. Cantonment Small Cause Court, Kamptee.	Nagpur. Total.	Chanda.	Bhandara.	Wardha.	Balaghat.	Jubbulpore. District.	Jubbulpore. City Small Cause Court.	Jubbulpore. Cantonment Small Cause Court.	Jubbulpore. Total.	Saugor. District.	Saugor. Cantonment Small Cause Court.	Saugor. Total.	Seoni.	Damoh.	Mandla.	Hoshangabad.	Betul.	Nimar. District.	Nimar. Cantonment Small Cause Court Asirgarh.	Nimar. Total.	Narsinghpur.	Chhindwara.	Raipur.	Bilaspur.	Sambalpur.	Upper Godavary.	Grand Total.
1862...	3,349	1,622	1,6 2	6,583	667	1,750	658	...	1,619	315	504	2,438	2,313	601	2,914	806	760	369	2,016	1,058	...	...	...	2,121	705	1,326	163	345	7	24,666
1863...	3,020	1,436	2,338	6,794	687	1,634	592	...	1,385	1,321	686	3,392	2,380	572	2,952	973	729	201	2,202	1,142	...	...	...	2,691	1,038	820	222	201	35	26,305
1864...	2,647	1,622	1,706	6,045	716	1,692	490	...	1,230	1,683	612	3,525	2,109	1,161	3,270	1,280	859	354	3,183	1,288	4,398	...	4,398	2,542	870	1,221	707	275	42	32,697
1865...	2,974	1,288	806	5,068	649	2,076	927	...	1,734	1,739	455	3,928	2,741	709	3,450	1,343	1,377	563	5,887	1,156	3,354	...	3,854	3,558	1,303	1,573	1,781	695	66	39,254
1866...	3,386	2,320	1,017	6,623	1,021	2,420	1,216	...	1,405	1,636	481	3,522	2,988	720	3,708	1,185	1,289	421	5,279	1,194	7,561	...	7,561	3,416	1,345	1,379	2,896	594	163	45,250
1867...	3,390	3,289	1,323	8,002	1,219	2,934	1,893	303	1,685	1,662	296	3,643	2,724	389	3,113	1,263	1,709	380	5,427	1,979	5,541	27	5,568	3,272	1,990	1,406	3,762	592	89	48,544
1868...	4,566	4,060	2,083	10,709	1,636	2,798	3,057	810	1,699	2,052	541	4,292	3,612	559	4,171	1,394	1,631	401	5,494	2,732	6,508	244	6,752	4,125	2,770	1,659	3,466	538	125	58,558
1869...	4,529	4,415	3,454	13,398	2,006	2,814	3,724	925	1,441	1,984	514	3,939	4,052	835	4,887	1,387	1,760	528	5,068	2,354	7,854	293	8,147	4,535	3,340	1,982	1,298	886	159	63,137
1870...	5,648	4,880	3,407	13,935	2,587	3 596	4,277	727	1,725	2,435	445	4,605	4,003	692	4,695	2,185	1,693	656	6,750	2,702	7,689	165	7,854	5,657	4,027	3,123	1,866	959	289	72,183
1871...	6,761	5,300	2,594	14,661	2,937	3,597	6,169	1,236	2,278	2,499	463	5,240	3,132	699	3,831	2,619	1,783	569	6,695	3,207	8,551	118	8,669	6,385	3,616	3,194	2,381	1,112	286	78,088
1872...	6,060	5,061	2,779	13,900	2,072	3,122	5,485	989	2,313	2,400	511	5,224	2,652	672	3,324	1,904	1,343	679	7,219	3,249	9,572	174	9,746	5,593	3,537	2,641	2,561	1,087	277	73,955
1873...	6,315	5,760	2,428	14,452	2,161	2,663	6,051	1,191	1,985	2,254	437	4,676	2,979	432	3,411	1,692	2,060	661	7,918	3,278	7,808	147	7,955	6,369	3,633	2,657	2,081	1,427	252	74,594
1874...	6,904	6,104	2,837	15,845	2,039	2,707	6,839	1,319	2,106	2,493	445	5,044	3,328	302	3,630	1,450	1,744	690	7,522	2,983	7,480	90	7,570	6,265	3,729	3,662	2,085	1,337	179	76,639
1875...	7,310	5,993	2,885	16,188	2,235	2,812	7,061	1,508	2,012	2,278	421	4,711	3,381	281	3,662	1,863	1,541	630	7,927	3,225	8,202	62	8,270	5,756	4,464	3,358	2,043	1,354	169	78,777
1876...	9,152	7,465	2,830	19,447	3,175	3,190	7,159	1,581	2,205	2,037	430	4,672	3,719	399	4,018	1,666	1,477	624	8,331	3,396	8,454	84	8,538	4,967	4,391	4,838	2,885	1,812	108	86,265
1877...	10,244	7,401	3,189	20,834	3,085	3,681	6,400	1,795	2,615	2,219	456	5,290	4,190	300	4,490	1,841	1,940	772	8,344	3,216	7,469	97	7,566	5,146	3,969	5,326	2,868	1,784	137	88,484
1878...	9,105	8,301	3,493	20,899	2,754	3,074	4,549	2,300	2,427	2,508	454	5,389	3,810	297	4,107	1,815	1,500	557	7,175	2,516	6,436	57	6,493	4,351	3,200	4,790	2,576	1,738	...	79,782
1879...	10,411	7,844	2,939	21,194	3,175	3,668	5,641	1,339	2,690	2,801	553	6,044	3,284	190	3,474	2,345	1,640	847	8,372	3,268	7,674	69	7,743	4,604	3,429	5,774	2,481	2,833	...	87,962
1880...	10,900	8,402	2,511	21,813	3,768	4,541	6,591	1,446	2,790	2,664	399	5,853	3,241	223	3,464	2,364	1,751	646	7,082	3,069	7,736	66	7,802	4,568	3,844	6,332	3,552	2,893	...	91,379
1881...	9,881	7,668	1,990	19,539	4,002	4,817	6,849	1,798	3,039	2,696	262	5,997	3,110	155	3,265	2,019	1,940	650	7,213	2,556	7,479	34	7,513	4,722	3,646	6,426	4,005	2,946	...	89,903
Grades and number of Courts at the close of 1881. Courts of the Deputy Commissioner.	1	1	1	1	1	1			1				1			1	1	1	1	1	1			1	1	1	1	1	...	18
Courts of the Assistant Commissioner...	2	3	2	2	1	3			2				3			1	1	1	4	1	3			2	1	3	2	2	...	36
Courts of Tahsildar.	5	4	2	3	2	3			4				3			2	2	2	4	2	2			3	2	4	3	2	...	51
Courts of the Naib Tahsildar ...	4	2	2	3	1	2			3				2			2	1	...	4	2	2			2	2	3	1	2	...	38
Small Cause Courts and Registrar's Courts	4	...	...	...	...	2			1				...			...	...	...	...	...	1			...	...	...	...	...	...	8
Total ...	16	10	7	9	5	11			11				6			5	4	13	6	9				8	6	11	7	7	...	151

TABLE (B.)

Comparative table of suits instituted and reinstituted.

Statement shewing the number of suits instituted and reinstituted in each Head-quarters Station and in each Tahsil of the Central Provinces from 1877 to 1881.

Locality of Courts.		Number of suits instituted and re-instituted.				
		1877.	1878.	1879.	1880.	1881.
Nagpur ...	Nagpur ..	2,790	1,919	1,986	2,237	2,049
	Court of Small Causes, Nagpur..	7,401	8,301	7,844	8,402	7,668
	Total ..	10,191	10,220	9,830	10,639	9,717
	Kamptee ..	3,189	3,493	2,939	2,511	1,990
	Katol ..	3,148	1,849	1,960	1,882	1,661
	Ramtek ..	2,670	2,143	1,793	2,150	2,269
	Saoner ..	...	1,358	3,055	2,753	2,025
	Umrer ..	1,636	1,836	1,617	1,878	1,877
Chanda ...	Chanda ..	832	748	646	866	545
	Warora ..	1,031	670	910	1,292	1,460
	Mul ...	457	466	674	681	1,122
	Brahmapuri ..	765	702	839	867	754
	Sironcha Sub-division ..	137	168	106	125	121
Bhandara ...	Bhandara ..	1,568	1,374	2,097	2,758	2,270
	Tirora ..	1,302	1,237	996	1,178	1,730
	Sakoli ..	811	463	575	605	817
Wardha ...	Wardha ..	2,947	1,960	2,580	3,188	3,309
	Arvi ..	1,987	1,451	1,396	1,712	1,876
	Hinganghat ..	1,466	1,138	1,565	1,691	1,664
Balaghat ..	Burha ...	1,666	2,131	1,214	1,318	1,638
	Behir ...	129	169	125	128	160
Jubbulpore ...	Jubbulpore ..	1,037	874	736	1,093	1,151
	Court of Small Causes, Jubbulpore	2,219	2,508	2,801	2,664	2,696
	Do. do. Cantonment	456	454	553	399	262
	Total ...	3,712	3,836	4,090	4,156	4,109
	Murwara ...	421	467	507	475	489
	Sihora ...	1,157	1,086	1,447	1,222	1,399

Locality of Courts.		Number of suits instituted and re-instituted.				
		1877.	1878.	1879.	1880.	1881.
Saugor ...	Saugor ...	2,092	1,816	1,611	1,313	1,239
	Court of Small Causes, Saugor ...	300	297	190	223	155
	Kurai ...	804	752	725	947	718
	Rehli ...	1,008	903	643	714	881
	Banda ...	286	309	302	267	272
Damoh ...	Damoh ...	1,469	1,103	1,291	1,255	1,550
	Hatta ..	471	397	346	496	390
Seoni ...	Seoni ..	1,390	1,257	1,565	1,580	1,548
	Laknadon ...	451	558	780	784	471
Mandla ...	Mandla ...	565	465	705	646	589
	Ramgarh ...	207	92	142	154	61
Hoshangabad.	Hoshangabad ...	3,054	2,067	2,400	2,276	2,282
	Seoni ...	934	849	1,076	691	801
	Harda ...	2,841	2,627	3,289	2,682	2,503
	Sohagpur ...	1,515	1,314	1,424	1,304	1,425
	Pachmarhi Sub-division ...	...	318	183	129	202
Betul ...	Betul ...	1,964	1,769	2,112	1,976	1,647
	Multai ...	1,252	747	1,156	1,093	909
Narsinghpur...	Narsinghpur ...	2,288	2,243	2,294	2,006	2,139
	Chawarpatha ..	...	...	...	...	...
	Gadarwara ...	2,858	2,108	2,310	2,562	2,583
Nimar ...	Khandwa ...	4,410	2,817	4,779	5,038	5,419
	Burhanpur ...	2,432	3,276	2,469	2,698	2,060
	Mortakka ...	627	343	426	...	...
	Court of Small Causes, Asirgarh.	97	57	69	66	34
Chhindwara..	Chhindwara ...	2,785	1,753	1,958	2,440	2,414
	Sausar ...	1,184	1,447	1,462	1,404	1,212
Raipur ...	Raipur ...	3,023	2,687	3,292	3,025	2,956
	Drug ...	700	854	980	1,460	1,622
	Dhamtari ...	617	648	546	716	568
	Simga ...	986	601	956	1,131	1,280
Sambalpur ...	Sambalpur ...	961	1,058	11,942	1,722	1,724
	Bargarh ...	823	680	1,691	1,171	1,222
Bilaspur ...	Bilaspur ...	1,283	835	1,027	1,214	1,555
	Mungeli ...	579	666	1,002	1,788	1,571
	Seorinarain ...	1,006	1,075	452	550	879
	Total ...	88,484	79,783	87,862	91,379	89,903

7. A continuation of the prosperity which marked the year 1880 was accompanied by an increase in litigation in 1881 in twelve out of the eighteen districts of these Provinces. In five districts the number of suits showed a considerable decrease. This decrease (varying from 200 to 500 suits) in the districts of Saugor, Seoni, Betul, Nimar and Chhindwara nearly balanced the increase (varying from 4 suits to 500 suits) in the districts of Chanda, Bhandara, Wardha, Balaghat, Jubbulpore, Damoh, Mandla, Hoshangabad, Narsinghpur, Raipur, Bilaspur and Sambalpur. The cause, therefore, of the decrease of 1,475 suits in the Provincial total of institutions for the year 1881, as compared with the total of the preceding year, must be attributed in the main to the great falling off of litigation in the single remaining district of Nagpur. The decrease of institutions in this district reached the large figure of 2,274 suits.

Increase and decrease in litigation.

8. In explanation of this phenomenon, the following facts may be considered. Low prices of produce benefit primarily the poorer classes: and especially that section of them which is non-agricultural and is employed in petty trading or in daily labour. In districts, therefore, where there are both military cantonments and a large urban population, the amount of business which the Small Cause Courts have to dispose of is considerably affected by the price of produce. What is saved from the cost of necessaries goes in reduction of debt. In the case of cultivators who have to dispose of their produce in order to make cash payments, the cheapness of food-staples is not so immediate an advantage. Hence we find that the low prices of 1881 have had a striking effect upon the litigation in Small Cause Courts. In the City and Cantonment Small Cause Courts of the Nagpur district, in the Cantonment Small Cause Court of Jubbulpore, (in the *City* Small Cause Court of Jubbulpore there would have been also a decrease, but for a slight rise in the number of claims "on account stated"—— see para. 19), in the Cantonment Small Cause Court of Saugor, and in the Cantonment Small Cause Court of Asirgarh, there has been a marked diminution of business. In the City Small Cause Court of Nagpur and the Cantonment Small Cause Court of Kamptee the decrease amounts to 1,255 suits, or more than half the total decrease of the district.

Effect of low prices on Small Cause Court business.

9. In the tahsils of Nagpur, the causes of decrease must be akin to those which have lowered litigation in the more secluded districts of Betul, Seoni, Chhindwara and Saugor, to wit, two successive years of plenty and the absence of inducements to speculate in trading. Although the railway now passes through the Nagpur district, the trade-buyers have gone ahead with the Railway, and many of the contracts for forward delivery of grain, &c., which used to be made in the Nagpur district, are now entered into in the Raipur district. The state of things in Raipur is reported to be the same as prevailed last year, when gambling in prices, coupled with with a dull export, led to many institutions. In Bilaspur and Sambalpur there are special causes at work which were noticed in the report for 1880, producing a steady annual increase of suits. Jubbulpore, with the adjacent districts of Damoh, Mandla and Narsinghpur, is more or less affected by the facilities for export afforded by the Great Indian Peninsula Railway which has its terminus there; and in the Narsinghpur district there is much speculation of the kind which flourishes in Raipur. The increase of litigation in the Chanda and Wardha districts may be in part attributed to the failure of the cotton crop, which showed at an early date that it would not furnish more than 50 per cent of its average out-turn.

Effect of low prices in neighbourhood of Termini.

10. With regard to the number of suits brought on agreements which are said to be of the character of wagers as to the rise and fall of prices, referred to by the Deputy Commissioners of Raipur and Narsinghpur, the attention of these officers will be called to this Court's Ruling in Appeal No. 95, dated 21st April 1879, whereby it was declared that *tezi mandi* bargains are not enforceable as legal contracts.

Tezi Mandi contracts.

II. Value of Suits.

11. The Statements on the value and description of suits which here follow have been prepared in accordance with the new forms prescribed by the Government of India. For

Revised Statements.

merly they dealt with suits *disposed of*: now they deal (like the Statement just commented on) with suits *instituted*. This change will prevent the recurrence of the mistakes that were sometimes made under the old system when the figures showing the increase or decrease of litigation in general were compared with the figures showing the increase or decrease in particular classes of suits. It may be mentioned in this place that the changes prescribed by the Government of India have, on the whole, involved only trifling modifications in the system of Civil statistics in force in these Provinces. The only practical difficulty related to supplying the detail now to be considered of suits *instituted* under the various class headings, in place of the detail of suits *disposed* of under those heads. Under our system of Statistic ledgers, the records of suits do not pass into the ledger-keeper's hands until the suits have been disposed of: and any alteration of this system for the purpose of procuring class details of suits *instituted* during the quarter or the year would not only have been inconvenient but would have rendered the classified returns less reliable than they are. For the descriptive entry on the fly-sheet of a newly instituted suit can rarely be depended on. Plaintiffs have not always the knack of setting out their claim correctly: and a suit which purports to be "for the cancellation of a document" is often found by the Judge to be really a suit "for possession of immoveables." It was determined, therefore, that the existing system should be preserved; and that the figures required for the revised annual Statements should be obtained by (*a*) deducting from the figures under the various heads of suits "disposed of" those suits which had been pending at the beginning of the year, and (*b*) adding to the balances thus obtained the suits which might be pending at the end of the year. In this way the classification of all suits, except those pending at the year's end, has received the Judge's determination before they reach the Statistic writer's hands; and with regard to the suits just excepted, it is possible (as their number is not great) for the Clerk of the Court to examine them, and to take the Judge's opinion on them, before incorporating them in the returns.

12. From the foregoing remarks it may be understood that it is not possible to draw parallels with the returns of previous years in respect of the total values of the suits under review, or in respect of the totals of the different classes: for the statements now to be considered show *institutions*, whereas the statements formerly printed at this part of the Report showed *disposals*. It is possible, however, to collate the percentages on the totals which the different classes or grades of suits exhibit: and when Part C (which deals with the results of trials) is reached, there is once more a common basis for comparison.

Revenue suits.

13. Another point which requires notice is that the new Statements include detailed statistics as to Revenue suits, in accordance with the forms prescribed by the Government of India. In this Report, however, no comments have been made on the figures thus supplied, as the same revenue statistics are dealt with in due course by the Chief Commissioner's office in the Annual Revenue Report: and the Civil Reports of previous years do not afford sufficient materials for comparison

Relative values of suits instituted

14. The percentage borne by the suits of each grade of value to the total number instituted in the year 1881 is given in the following table:—

Grades of value.				Number of suits instituted.	Percentage of total suits.	Average value.
Not exceeding	Rupees	...	... 10	25,115	28·	7
"	"	...	... 50	44,418	49·	24
"	"	...	... 100	11,058	12·	71
"	"	...	... 500	8,103	9·	199
"	"	...	... 1,000	734	2·	775
"	"	...	... 5,000	420		1,664
"	"	...	... 10,000	35		7,459
Exceeding	"	...	... 10,000	20		33,705
			Total ..	89,903	100·	...

Observations on value of suits by districts.

15. The following table presents the subject in detail according to districts :—

Percentage of suits of the several classes of value instituted in 1881.

District.	Not exceeding Rs. 10.	Not exceeding Rs. 50.	Not exceeding 100.	Not exceeding 500.	Exceeding Rs. 500.
Nagpur	30·	51·	11·	7·	1·
Chanda	28·	54·	11·	6·	1·
Bhandara	21·	57·	12·	9·	1·
Wardha	21·	51·	15·	12·	1·
Balaghat	29·	52·	12·	6·	1·
Jubbulpore	27·	49·	12·	10·	2·
Saugor	22·	53·	12·	11·	2·
Damoh	27·	55·	13·	4·	1·
Seoni	31·	47·	13·	8·	1·
Mandla	36·	44·	9·	9·	2·
Hoshangabad	19·	45·	16·	16·	4·
Betul	28·	48·	13·	10·	1·
Narsinghpur	17·	55·	15·	11·	2·
Chhindwara	26·	55·	13·	5·	1·
Nimar	30·	47·	14·	8·	1·
Raipur	38·	43·	10·	8·	1·
Sambalpur	43·	38·	12·	6·	1·
Bilaspur	46·	42·	6·	5·	1·

III.—*Description of Suits.*

Number and proportion of Suits

16. The following table, comprising the number and proportion of Suits of the principal kinds instituted in 1881, is prepared from Statement No 1.

	1881.	
	Number of suits.	Percentage of total suits.
Suits for money or moveable property ...	85,457	95·
Title and other suits	4,446	5·
Total ..	89,903	100·

Distribution of suits under sub-heads.

17. Under the several sub-heads of contract, the percentages are as under :—

	1881.	
	Number of suits.	Percentage of total suits.
Contract in writing	45,618	51·
Contract not in writing	14,855	16·
On account stated	2,273	3·
Money had and received	900	1·
Goods sold	8,584	10·
Wages work and material	933	1·
Breach of contract not mentioned above ...	5,625	6·
Rent not falling under the Rent Law	826	1·
Moveable property or value thereof	3,620	4·
Damages	2,223	2·
Total ...	85,457	95·

18. The statistics of each district for 1881 for the main classes of suits are given in the following table:—

Classification of suits under main heads.

Districts.	Total suits instituted.	For money due.						Moveable property or value thereof.		Damages.		Immoveable property.	
		Contract in writing.		Contract not in writing.		Goods sold.							
		Number	Percentage of suits instituted.	Number.	Percentage of suits instituted.	Number.	Percentage of suits instituted.	Number.	Percentage of suits instituted.	Number.	Percentage of suits instituted.	Number.	Percentage of suits instituted.
Nagpur ...	19,539	12,384	63·	2,154	11·	2,358	12·	505	3·	357	2·	44·	2·
Chanda ...	4,002	2,487	62·	344	9·	339	8·	127	3·	50	1·	64	2·
Bhandara ...	4,817	3,300	69·	641	13·	142	3·	62	1·	94	2·	89	2·
Wardha ..	6,849	3,714	54·	1,045	15·	567	8·	422	6·	82	1·	242	4·
Balaghat ...	1,798	756	42·	387	21·	87	5·	85	5·	85	5·	57	3·
Jubbulpore ...	5,997	2,741	46·	993	16·	820	14·	131	2·	188	3·	428	7·
Saugor ...	3,265	1,634	50·	536	16·	202	6·	190	6·	55	2·	170	5·
Damoh ...	1,940	1,098	56·	392	20·	83	4·	80	4·	52	3·	128	6·
Seoni ...	2,019	833	41·	569	28·	163	8·	78	4·	81	4·	73	4·
Mandla ...	650	184	28·	186	29·	91	14·	48	7·	49	7·	17	3·
Hoshangabad ...	7,213	3,022	42·	1,109	15·	373	5·	202	3·	86	1·	380	5·
Betul ...	2,556	1,157	45·	549	21·	193	8·	167	7·	113	4·	57	2·
Narsinghpur ...	4,722	2,426	51·	614	13·	7	...	480	10·	68	2·	281	6·
Chhindwara ..	3,646	2,211	60·	604	17·	265	7·	94	3·	92	3·	129	3·
Nimar ...	7,513	4,205	56·	898	12·	1,120	15·	164	2·	78	1·	136	2·
Raipur ...	6,426	1,805	28·	1,820	28·	1,012	16·	373	6·	286	4·	231	4·
Sambalpur ...	2,946	913	31·	582	19·	252	9·	198	7·	246	8·	337	11·
Bilaspur ...	4,005	748	19·	1,432	36·	510	12·	214	5·	161	4·	187	5·
Total ...	89,903	45,618	51·	14,855	16·	8,584	10·	3,620	4·	2,223	2·	3,454	4·

Written obligations.

19. The growing popularity of written records of the dealings between money-lenders and their clients is a subject of remark in almost every District Report. It is noted by the Deputy Commissioner of Balaghat that Naib-Tahsildars are prone to impute a greater value to documentary proof than other Judges: and as the bulk of litigation is dealt with by these officers, it might be argued that the money-lenders are learning to secure their claims accordingly. It does not seem necessary, however, to assign a special reason for a tendency which the multiplication of business and the greater number of strangers with whom merchants and usurers have, therefore, to deal, sufficiently explains: and which must, on the whole, be held to be a satisfactory one It does not interfere with the facilities which exist for the obtaining of money by persons who are well-known to the lenders. The fact that a considerable proportion of the decrease in Small Cause Court cases was under the heading of "contracts not in writing" points to the fact that oral debts have been repaid during the currency of low prices with at least as much honesty as written debts. In the case of cultivators who come into the large towns to borrow seed and money for agricultural purposes, the signature of an "account stated" seems still to be considered sufficient. In the Small Cause Court of Jubbulpore, Nagpur, and Kamptee, suits under the head of "account stated" were exceptions to the general decrease: and this feature is probably due to the fact that the debtors were mostly cultivators who owing to the low prices of produce found it difficult to pay their debts in cash.

IV.—Description and Value (together) of Suits.

Relative value of the principal description of suits.

20. The table below shows the relative value of suits of the principal descriptions.

Description of Suits.	Number.	Percentage of					
		Suits not exceeding				Suits above	Total.
		Rupees 10.	Rupees 50.	Rupees 100.	Rupees 500.	Rupees 500.	
Contract in writing ...	45,618	13·	60·	16·	10·	1·	100·
Contract not in writing ...	14,855	49·	41·	6·	4·	...	100·
Goods sold ...	8,584	63·	31·	4·	2·	...	100·
Moveable property or value thereof ..	3,620	35·	48·	9·	7·	1·	100·
Damages ...	2,223	33·	44·	13·	8·	2·	100·
Immoveable property ...	3,454	21·	34·	16·	22·	7·	100·

C.—General Distribution and Result of Trial of Civil Suits by Courts of Original Jurisdiction.

I.—*Distribution.*

Distribution of suits disposed of among different classes of Courts.

21. The following table shows how suits disposed of were distributed among the different classes of Courts in the several districts :—

Total Number of Judges.	8	38	51	36	18	4	155
Districts.	Small Cause Courts.	Naib Tahsildars.	Tahsildars.	Assistant Commissioners.	Deputy Commissioners.	Commissioners.	Total.
Nagpur	9,448	5,452	3,170	1,272	7	...	19,349
Chanda	...	1,964	1,347	590	12	..	3,913
Bhandara	...	2,422	1,142	1,060	23	...	4,647
Wardha	...	4,334	1,965	578	2	..	6,879
Balaghat	...	1,189	384	158	4	...	1,735
Jubbulpore	2,884	1,273	1,287	438	14	...	5,896
Saugor	155	1,947	797	357	8	..	3,264
Damoh	...	704	975	247	2	..	1,928
Seoni	...	737	979	201	22	...	1,939
Mandla	...	...	454	172	5	...	631
Hoshangabad	...	4,040	1,911	1,173	18	...	7,142
Betul	...	1,399	1,027	131	8	..	2,565
Narsinghpur	...	1,208	2,833	465	36	...	4,542
Chhindwara	...	2,081	1,140	417	5	..	3,673
Nimar	33	4,376	1,739	1,315	20	..	7,483
Raipur	...	4,205	1,406	629	2	..	6,242
Sambalpur	...	1,504	539	968	16	..	3,027
Bilaspur	...	1,399	1,788	720	6	...	3,913
Total ... 1881	12,520	40,234	24,883	10,921	210	...	88,768
Total ... 1880	14,502	36,702	27,572	12,071	219	1	91,067
Percentage ... 1881	14·1	45·4	28·	12·3	·2		100
Percentage ... 1880	15·9	40·3	30·3	13·3	·2		100·
Percentage ... 1879	16·2	37·0	34·0	12·6	·2		100·
Percentage ... 1878	19·1	31·6	33·3	15·8	·2		100·
Percentage ... 1877	15·4	32·4	35·2	16·5	·5		100·

A larger percentage than ever of the judicial work was performed by the Naib Tahsildars; and while the business of every other class of Court declined during the year, the number of suits disposed of by these officers rose from 36,702 to 40,234. This increase is partly due to the fact that four additional Naib Tahsildar's Courts were opened during the year, but it is also a sign of that increasing tendency of creditors to use the Courts as "dunning offices" which was referred to last year and which was, in fact, the cause why the new tribunals just mentioned were instituted. Some further remarks on the subject will be found in paragraph 26.

Institution of suits in the various Courts according to value.

22. The following table shows the proportion in which suits of the several grades of value were instituted in the various Courts.

Judges.		Registrars of Courts of Small Causes	Judges of Courts of Small Causes.	Naib Tahsildars.	Tahsildars.	Assistant and Extra Assistant Commissioners.	Deputy Commissioners.	Total.	Remarks.
Number of Judges.		2	6	38	51	36	18	151	
Salary of Judges.		Rupees 150 to 250.	*Rupees 700 to 1,000.	Rupees 50 to 70.	Rupees 100 to 200.	Rupees 250 to 800.	From Rs. 866 to Rs. 1,833.		* Includes the Judge of Asirgarh Cantonment who receives a staff allowance of Rs. 200.
Grades of value of suits.	Total number of suits instituted.	Percentage of suits instituted in the Courts of each class of Judge.							
Not exceeding Rs. 10	25,115	15·8	63·2	16·8	4·1	...		10·0	
" " 50	44,418	14·4	56·9	22·8	5·8	·1		10·0	
" " 100	11,058	12·7	...	65·8	21·3	·2		10·0	
" " 500	8,103	11·9	...	40·2	47·4	·5		10·0	
" " 1,000	734	7·5	..	...	90·7	1·8		10·0	
" " 5,000	420	...	...	...	81·2	18·8		10·0	
" " 10,000	35	..	..	...	5·7	94·3		10·0	
Exceeding " 10,000	20	...	...	...	10·0	90·0		10·0	
All Grades ...	89,903	14·2	45·8	27·7	12·0	·3		10·0	

II.—*Results of Trial.*

Results of trial of suits disposed of.

23. The general results of the trial of suits disposed of were as under:—

	Number of suits	Proportion per cent.	Corresponding proportion in 1880.
Plaints rejected or returned	508	·6	·6
Transferred to other district or Small Cause Court jurisdiction	...	...	...
Without Contest.			
Dismissed for defaulr	16,407	18·5	18·1
Withdrawn with leave...	1,147	1·3	1·3
Compromised	11,082	12·5	12·8
Decreed on Confession	21,790	24·5	25·2
Decreed *exparte*	13,779	15·5	15·0
Dismissed *exparte*	697	·8	·8
Total Uncontested ...	64,892	73·1	73·2
Contested and judgment given for.			
Plaintiff in whole	9,725	10·9	10·9
Ditto in part	7,729	8·7	8·4
Defendant in whole	5,904	6·7	6·9
Total Contested ...	23,358	26·3	26·2

24. The percentage of uncontested cases is slightly less than it was last year. The percentages under each head of disposals exhibit such small variations from last year's figures that it is hardly necessary to add anything to what was then said. There have been, of course, considerable fluctuations in the various districts.

Uncontested cases.

25. The following table shows the proportion borne by contested suits to the total number of suits disposed of in the several districts of the Central Provinces, with details of the manner of disposal, for 1880 and 1881.

Comparison for 1880 and 1881, of contested suits in the several districts.

Districts.	Percentage of total cases disposed of.							
	For Plaintiff in whole.		For Plaintiff in part.		For Defendant in whole.		Total.	
	1880.	1881.	1880.	1881.	1880.	1881.	1880.	1881.
Nagpur ...	11·3	11·8	7·0	6·8	4·6	4·3	22·9	22·9
Chanda ...	10·1	10·8	5·0	7·7	4·1	3·1	19·2	21·6
Bhandara ...	7 8	9·2	7·1	6 4	5·7	4·6	20·6	20·2
Wardha ...	10 2	11·5	14·3	14·	5·6	5·6	30·1	31·1
Balaghat ...	9·9	8 1	11·2	12·3	7·7	8·6	28·8	29·0
Jubbulpore ...	13·7	11·5	7·7	10 2	10·5	11·0	31·9	32·7
Saugor ...	11·0	13 1	8·6	9·7	5·9	7·4	25·5	30·2
Damoh ...	12·0	9·2	6·0	6·4	7·1	7·3	25·1	22·9
Seoni ...	12·7	13 3	10·7	10·7	6·8	7·8	30·2	31·8
Mandla ...	9·4	9 2	4·9	9·7	8·6	7·6	22·9	26·5
Hoshangabad ...	11·9	11·6	7·4	8·2	7·2	7·3	26·5	27·1
Betul ...	9·2	10·3	6·4	7·1	7·1	6 9	22·7	24·3
Narshingpur ...	14·6	10 5	8 8	10 9	9·4	8 0	32·8	29·4
Chhindwara ...	8·3	9·5	5·2	5·6	6·2	7·1	19·7	22·2
Nimar ...	11·8	10·7	8 0	6·5	6·8	6·5	26·6	23·7
Raipur ...	8·9	9·8	11·0	9·4	8 3	7·7	28·2	26·9
Sambalpur ...	10 6	12·1	11 2	13·2	12·7	11·0	34·5	36·3
Bilaspur ...	8 2	8·8	11·8	10·3	10·7	8·8	30·7	27·9

26. Almost every District officer explains the variation in the number of uncontested suits with reference to the practice of individual Judges in regard to assuring themselves of the identity of defendants, and of decreeing costs against the plaintiff when the defendant has been unnecessarily summoned. The Deputy Commissioner of Raipur exhibits a table of suits disposed of before and after the issue by him of urgent orders on the subject of costs and decreeing payment by instalments, with a view to prove that the number of "confessing" debtors was affected thereby. There can be no doubt (to repeat what was said in the Report for 1880) that effective supervision of the subordinate Courts prevents hasty procedure, and so eliminates, to some extent, one of the causes which might swell the total of decrees on confession; but so long as the Courts are used by the money-lenders as a means of collecting debts, so long the number of decrees on confession may be expected to be large. In former days, creditors made greater efforts to realize their claims by "dunning" their debtors than they do now, the present practice being often limited to sending a notice by post or even (in some places) to advertising a notice in a vernacular paper. Even if the Courts were always to insist upon proof of service of such a notice, it is probable that the number of decrees on confession would remain the same. For it is well known that many reminders are required to induce a native debtor (or a revenue defaulter) to come forward with his money; whereas a

Confessing debtors

summons to attend a Court of Justice is a lever which moves him more promptly to action. So that if (as from most of the Reports seems to be the case) District officers are satisfied that there has been no such haste as would render personation easy, there is not much ground for dissatisfaction with the fact that decrees on confession are only slightly fewer than they were last year.

Collection of debts.

27. The use made of our Courts by the money-lenders is a source of disquiet to some District Officers who conceive that their tribunals were not intended to administer to the convenience of usurers; and the Deputy Commissioner of Chanda even hints that he may find it necessary to discourage the practice: but it is clearly not the business of the Judiciary to deal with matters which lie beyond the strict administration of the law as it stands. If in many cases the duties performed by subordinate Judges are of a mechanical nature, still the power of adjudicating on any dispute which may arise is as necessary an adjunct of their office as ever it was.

Arbitration.

28. References to arbitration were in number 230 as against 298 last year. The remarks made in last year's report as to the unpopularity of this method of procedure, may be repeated. The unwillingness of litigants to incur the invariable delays and vexations which attend on the operations of the persons to whom the Court delegates its functions, has something to do with the decrease. Whatever the shortcomings of our Judicial Administration may be, it is a fact that, as a rule, the decision of a Judge is preferred to the decision of a body of Arbitrators.

Commissions.

29. The decrease in the number of commissions issued for local investigation or to examine accounts is partly due to the orders contained in this Court's Practice Circular No. E.-12, dated 16th June 1881, in which it was made imperative that no such commission should issue without a good reason, which was to be recorded in a note-book prescribed for the purpose. A copy of the entries in this book is sent up to this Court with the quarterly returns; and if in any case it seems that the issue of a commission was not dictated by circumstances which made it impossible or highly inconvenient for the Court to arrive at a decision on the facts by direct enquiry, an explanation is called for. A change in procedure quickly ensued on the introduction of this system; and instances of needless appointments of commissioners, such as the one quoted in last year's Report, have become exceedingly few.

Special oaths.

30. There was a decrease in the number of cases decided on special oath, the figures being 610 as against 755 in 1880. It is getting to be more widely known that a dishonest litigant does not fear to perjure himself; and Judges do not encourage a practice which is rarely a better test of truth than other forms of purgation which are now obsolete.

Payment by instalments.

31. The falling off in the number of decrees made payable by instalments is, like the decrease in the figures discussed in the three preceding paragraphs, partly due to the smaller total of cases disposed of. It is also, to some extent, due to the slightly smaller percentage of decrees on confession; for it appears to be the practice in some districts to reward confessing debtors with the privilege of paying by instalments. Fluctuations under this head are caused by the degree in which Deputy Commissioners succeed in impressing successive subordinates with their views of the propriety of such decrees. In the Balaghat district the number of such decrees has risen since last year from 44 to 205; and 178 of these were passed in the Court of the Naib Tahsildar of Burha. This Naib Tahsildar is new to his work. The Deputy Commissioner of Narsinghpur finds it necessary to vindicate the practice of decreeing payment by instalments by arguing that as the rule of *damdupat* does not apply in these Provinces, interest sometimes more than trebles the debt·

But the rule of *damdupat* is very generally observed in these Provinces; and the High Court of Calcutta has recently declared it to be an integral part of Hindu law (I. L. R., Calcutta, Vol. V., page 867). The principles to be followed in decreeing payment by instalments have been laid down by this Court in Civil Procedure Circular No. 7.

Durations.

32. The fact that the Courts were closed for 12 days in February on account of Census operations, had something to do with the fact that in ten out of the eighteen districts the durations of both contested and uncontested suits increased. Only in the Jubbulpore, Seoni, Damoh and Betul districts were the durations lower in both classes of cases. In Hoshangabad, Mandla, Narsinghpur and Chanda, the improvement was confined to contested cases. Besides the general cause above alluded to, changes of officers, difficulties connected with the service of processes, delays in the return of commissions and applications for adjournments made by pleaders are cited as reasons for the increase in the different district Reports. None of these reasons are novel: and most of them have formed the subject of communications between this office and the district officers concerned, upon review of the monthly and quarterly statements presented during the year. The Officiating Judicial Commissioner is of opinion that the Courts strive to do their best to avoid prolonged durations; and he is aware that the subject receives constant attention from the District officers. He is glad to learn from the reports of the Deputy Commissioners of Jubbulpore and Raipur that arrangements were successfully carried out in their districts for preventing the movements of Tahsildars upon tour from interfering with the hearing of cases on the dates fixed beforehand. In some places mistakes appear to have been made in respect to the time to be allowed for the return of summonses: as, for instance, in the Sambalpur district, where a rule was laid down that thirty days were to be allowed in all cases, although (as the present Deputy Commissioner observes) there is no place in that district which cannot be reached in less than fifteen days. Long durations in uncontested cases can, in most instances, be similarly explained by mistakes or difficulties connected with the service of summonses. During the present year attention will be given to the division of work among process-servers, as there is reason to believe that a more intelligent system of apportioning it may (as suggested by the Deputy Commissioners of Balaghat, Wardha and Nimar) effect economy of time in the return of processes.

D.—Appellate Business.

Appeals to the Judicial Commissioner, Commissioners, and Deputy Commissioners.

33. The number of first appeals instituted during the year is shown below:—

	Courts of Deputy Commissioners.		Courts of Commissioners.		Total.		Percentage on.	
							20,336	20,220*
							Contested cases in	
	1880.	1881.	1880.	1881.	1880.	1881.	1880.	1881.
From decrees.								
Of ordinary Civil Courts ...	3,085	3,084	660	568	3,745	3,652	18·4	18·
From orders ...	139	140	95	74	234	214		
Total :	3,224	3,224	755	642	3,979	3,866		

The total number of appeals has slightly decreased, the decrease lying mainly in the Courts of Commissioners, where last year there was an increase. Appeals from orders stand at a much lower figure than in 1880, the reason being that Appeals from Revenue orders were included in the total for that year. These are now shown in the Prescribed Statement only.

* This total of contested cases excludes Small Cause Court cases, which are not appealable.

34. Appeals first and second (special) were disposed of (otherwise than by transfer) as shown below :—

Disposal of Appeals

Court.	Confirmed without notice to respondent		Dismissed for default		Remanded for re-trial.		Decree of Lower Court. Modified.		Reversed.		Confirmed.		Total disposed of.
	Number.	Percentage of total appeals.	Number	Percentage of total appeals	Number.	Percentage of total appeals.	Number.	Percentage of total appeals	Number.	Percentage of total appeals.	Number.	Percentage of total appeals.	
1	2	3	4	5	6	7	8	9	10	11	12	13	14
Court of the Judicial Commissioner .	208	51	5	1	65	16	16	4	61	15	53	13	408
Courts of the Commissioners—													
Nagpur ..	...	..	3	2	10	9	7	6	27	23	70	60	117
Nerbudda ..	..	..	..	..	..	..	1	50	...	..	1	50	2
Chhattisgarh ..	..	..		...	...	..	7	32	3	14	12	54	22
Additional Commissioner Nerbudda and Jubbulpore Divisions ..	9	2	5	1	79	16	39	8	109	23	242	50	483
Total ...	9	2	8	1	89	14	54	9	139	22	325	52	624
Nagpur ..	9	3	24	9	19	7	38	13	60	21	133	47	283
Chanda ..	31	37	6	7	8	10	9	11	5	6	24	29	83
Bhandara ...	2	2	10	11	5	6	21	23	25	27	28	31	91
Wardha ...	.	..	20	8	22	9	17	7	64	25	130	51	253
Balaghat .	2	2	5	6	4	4	15	16	24	26	42	46	92
Jubbulpore ..	1	1	8	8	21	22	9	10	12	13	44	46	95
Saugor .	1	1	13	7	29	16	23	13	30	16	86	47	182
Damoh ...	.		10	11	3	4	1	1	16	18	59	66	89
Seoni ..	39	40	6	6	5	5	8	8	14	14	26	27	98
Mandla ..	7	26	3	11	1	4	2	8	9	33	5	18	27
Hoshangabad ...	85	26	29	9	7	2	17	5	64	20	124	38	326
Betul ..	..	.	16	13	4	3	19	15	23	19	61	50	123
Narsinghpur ...	..	..	27	9	27	9	22	7	64	21	161	54	304
Chhindwara ...	1	1	13	8	3	2	18	11	35	21	94	57	164
Nimar ...	2	1	19	7	5	2	9	3	22	8	204	79	261
Raipur ...	2	1	12	4	32	10	32	10	60	18	183	57	321
Sambalpur .	11	4	33	11	19	7	27	9	46	18	140	51	276
Bilaspur ...	5	3	4	3	4	3	12	8	30	20	92	63	147
Total ...	198	6	258	8	218	7	299	9	603	19	1,639	51	3,215
Grand Total ...	415	10	271	6	372	9	369	9	803	19	2,017	47	4,247

35. While in 1881 the same percentage of appeals were dismissed for default and the same percentage of decrees were modified as in 1880, the reversals of decrees were more numerous by three per cent in the year under review than in the preceding year. On the other hand, there was a decrease of 2 per cent in the number of appeals remanded for re-trial, so that disturbing orders were practically only one per cent more than in 1880. It will be noticed that the appeals in which decrees were confirmed have this year been correctly classified for all Courts, so as to show in column 2 of the statement the appeals which were confirmed "without notice to the respondent," under Section 551 of Act X. of 1877.

Result of appeals

36. The Deputy Commissioners who made the largest percentage of orders of reversal were the Deputy Commissioners of Mandla, Bhandara, Balaghat and Wardha The Deputy Commissioner of Mandla occupies the same position in this respect as he did last year. None of these Officers records any explanation of the cause why so many decrees had to be reversed in his district. Much depends, of course, upon the relative capacity and diligence of the Courts of first instance.

Reversals.

37. The average duration of appeals in the Courts of Deputy Commissioners was 29·4 days as compared with 28·7 days in 1880. In the Courts of Commissioners the average durations decreased from 39·9 to 32·4 days. The great increase in durations in the Judicial Commissioner's Court was due to Mr. Crosthwaite's unavoidable departure to Pachmarhi after many cases had been fixed for hearing at Nagpur. To suit the convenience of appellants, the adjourned hearings in several instances were fixed for dates when the Officiating Judicial Commissioner would be marching through the districts where they resided.

Duration

E.—Execution of Decrees.

38. Applications for execution decreased by 1,281. Of these, over 38 per cent. were wholly infructuous. The remarks made in paragraph 52 of last year's report in respect to the large number of cases struck off without execution need not be repeated.

Applications for execution

39. 583 persons were committed to prison in execution of decrees as against 595 in 1880. 64 persons were declared to be insolvent, as against 29 in 1880 and 56 in 1879. 35 of the applications granted in this year were pending from the previous year.

Imprisonment

40. From Statement No IX.—a new statement—it will be seen that about two-thirds of the applications in insolvency were made in Nagpur and Jubbulpore, and that the other districts had each only a very few of such applications during the year—Balaghat, Narsinghpur, Chhindwara, Saugor and Mandla receiving none at all. The explanation is that it is chiefly the debtors who are arrested by the Small Cause Courts of Jubbulpore and Nagpur, who make applications in insolvency. These persons are generally petty traders, servants or work-people; and as they have little or no property, the creditor takes the only course that is open to him by which to vindicate his rights. In 75 cases out of 100, the effect of arrest is that the judgment-debtor makes some sort of composition with his creditor (by pledging his future earnings or otherwise) and avoids going to jail; and it is only the obstinate or careless residue who submit to the hardship of imprisonment. Thus in 1881, out of 2,492 persons arrested in execution of decree only 583 were unable or unwilling to come to terms with their creditors, while 1,909 persons made composition with the decree-holders or were suffered by the latter to go free. From this it may be judged that if the power of arresting for debt were withdrawn, the number of "infructuous" execution cases would be greatly increased. In fact, it may be said that were it not for his liability to incarceration in default of payment, the borrower who has nothing to pledge save his personal liberty would not be able to get a loan at all.

Effects of arrest.

41. Of the 583 persons committed to jail in 1881, only 140 presented applications in insolvency. 62 of these applications were withdrawn: and 56 were rejected. The applications are generally contested most energetically by the creditors; and the Deputy Commissioners of Nagpur and Jubbulpore (where, as before stated, most of the applications were made) report badly of the honesty of the applicants. The truth seems to be that the same spirit which leads debtors in these Provinces to hold out against their creditors until their persons or their property have been actually seized, sustains a certain number in a resolve to undergo the term of imprisonment

Insolvency.

allowed by law, rather than yield. These men do not apply to the Insolvency Court; which has to deal mainly with the unscrupulous debtors who have suffered arrest with the set purpose of appealing to its jurisdiction.

Effects of Attachment

42. What is here said as to the "tenacity" of debtors seems to be borne out by the figures in Statement VII. which exhibit the number of cases in which immoveable property having been attached in execution, the amount of the decree was paid up and the property released under Section 275 of Act X. of 1877. After making a reasonable deduction to represent reversals of decrees, it is found that more than half the number of attachments of immoveables were disposed of in this way. The opposite argument that the attachments may have been hurriedly or unnecessarily made is not supported by the procedure of our Courts, under which an attachment is not usually carried out if the judgment-debtor on the arrival of the peon and the creditor's representative gives the latter sufficient security for the payment of the decree.

The considerable total of cases entered in column 22 of Statement No. VII. against the Courts of the Chanda district as having been executed "otherwise than by arrest or attachment" is explained by the Deputy Commissioner on the ground that many judgment-debtors satisfied the decree after the issue of a warrant, but before arrest or attachment was carried out.

Insolvents' estates.

43. From the second part of the insolvency return it will be seen that the amount of assets realised was not large. One debtor in the Nagpur Court and two in the Jubbulpore Court were men of some means, but the resources of the remaining thirty-two were barely worth the trouble of liquidation.

Additional Statements.

Miscellaneous Cases

44. In addition to this Insolvency Statement, the revised returns contain two other new Statements, viz., the Statements of Miscellaneous Cases and Miscellaneous Appeals. Under the former head the chief proceedings are applications for review, for re-hearing, for issue of notice of foreclosure, and for permission to sue as paupers, together with objections to attachments of property in execution. Statement IV. shows that 6,670 such cases were dealt with during the year: and that the average duration of those of them that were contested was 25 days.

Miscellaneous appeals.

45. Miscellaneous appeals consist of appeals preferred from orders passed in Miscellaneous cases and from other orders of the kind detailed in Section 588, Code of Civil Procedure. There were 238 such appeals, and the average duration of each was 64 days.

46. The office of Judicial Commissioner was held by Mr. C. H. T. Crosthwaite, C. S., from the beginning of the year up to the 15th of June, and by Mr. J. W. Neill, C. S., from the 16th of June to the end of the year. The Courts of the following districts were inspected by Mr. Neill during the late camping season :—

Nagpur,	Bilaspur,
Raipur,	Sambalpur.

47. In June, the Civil Circulars issued by this Court between the years 1862 and 1881 were published in a revised form and so arranged under distinctive headings in a single volume as to be easily referred to. The Civil Rulings of this Court are being also arranged for publication in a compendious shape. When translations of these compilations are ready, it is hoped that the administration of justice will be found easier and simpler by those subordinate Judges whose training was made the subject of remark at the beginning of this Report.

I have the honor to be,
Sir,
Your most obedient Servant,
L. K. LAURIE,
Offg. Registrar.

The 20th February 1882.

PRESCRIBED

STATEMENTS.

[Giving statistics of Civil and Revenue Suits and showing totals for each grade of Courts.]

JUDICIAL STATEMENT No. 1—(Civil and Criminal.)

Statement showing the number of Judicial divisions and the number of Officers exercising Appellate or Original jurisdiction in the Central Provinces on the last day of the year 1881 with the cost of Tribunals.

Name of Province.			Area.	Population.	Number of divisions for Courts under Chief Court but superior to Chief Courts of districts.	Number of districts.	Number of sub-districts.	Total number of officers exercising original or appellate jurisdiction. Judges of Chief Court of Provinces.	Judges of other Courts superior to Chief District Courts.	Judges of Chief Courts of districts.	Judges of District Courts other than Chief Courts.	Judges of other subordinate Courts.	Total number of cases decided. Original. Regular.	Original. Miscellaneous.	Appeals. Regular.	Appeals. Miscellaneous.	Total receipts of the Courts.	Total charges of the Courts.
1			2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
Central Provinces.	Territory subject to the High Court ...	Civil and Revenue ...	84,963	8,201,519	4	18	53	1	4	18	38	96	96,450	6,673	4,597	278	7,77,007	8,83,113
		Criminal ...									40	121	25,749	1,051	1,059	19	2,43,544	5,67,156
	Ditto not subject to the High Court ...	Civil and Revenue ...	...	...	...	..	...	...	...	...	...	...	...	...	...	...	...	...
		Criminal ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
	* Total ...		84,963	8,201,519	4	18	53	1	4	18	40	160	122,199	7,724	5,656	297	10,20,551	14,50,269

NOTE.—Number of European and Native Judicial Officers exercising Appellate or Original jurisdiction.

The Civil grades are those described in Act XIV. of 1865. On the Criminal side District Officers are included with 1st Class Magistrates.

CIVIL.

Nab. Tahsildars. Euro.	Nab. Tahsildars. Natives.	Judges of Small Cause Courts. Euro.	Judges of Small Cause Courts. Natives.	Registrars of Small Cause Courts. Euro.	Registrars of Small Cause Courts. Natives.	Courts of 1st. Grade. Euro.	1st. Grade. Natives.	2nd Grade. Euro.	2nd Grade. Natives.	3rd Grade. Euro.	3rd Grade. Natives.	4th Grade. Euro.	4th Grade. Natives.	5th Grade. Euro.	5th Grade. Natives.	6th Grade. Euro.	6th Grade. Natives.	7th Grade. Euro.	7th Grade. Natives.	8th Grade. Euro.	8th Grade. Natives.
0	37	6	0	0	2	0	1	0	45	1	4	6	13	7	12	18	0	4	0	1	2

CRIMINAL.

High Court Judges. Euro.	High Court Judges. Natives.	Sessions Judges. Euro.	Sessions Judges. Natives.	Magistrates. 1st Class. Euro.	1st Class. Natives.	2nd Class. Euro.	2nd Class. Natives.	3rd Class. Euro.	3rd Class. Natives.	Cantonment Magistrates. Euro.	Cantonment Magistrates. Natives.
1	0	4	0	29	34	1	90	1	20	4	0

*The totals of cols. 7 to 11 show the *actual number of individuals*, as required. As the same officer has in some (but not in all) cases both Civil and Criminal powers, the figure totals of cols. 10 and 11 are higher than the totals shown.

Statement showing the number and description of Civil Suits instituted

Class of Tribunals.	Suits for money or moveable property.										Suits	
	Contract in writing.	Contract not in writing.	On account stated.	Money had and received.	Goods sold.	Wages, work and materials.	Breach of contract not mentioned above.	Rent not falling under the Rent Law	Moveable property or value thereof.	Damages.	Arrears of rent with or without ejectment or cancelment of lease.	Enhancement or abatement of rent.
1	2	3	4	5	6	7	8	9	10	11	12	13
Courts in the interior.												
I.—Civil Courts.												
Unpaid Tribunals	...	...	...	...	...	..	...	..	...	...	...	...
Village Courts	...	...	...	.	.		.		...	...	...	...
Paid Sub-Divisional Tribunals ..	33,881	12,943	1,541	526	5,932	702	4,881	586	3,065	1,620	...	...
Small Cause Courts	7,391	1,257	450	273	2,336	162	241	198	208	289	...	...
District Courts other than Chief Courts of District	4,280	645	271	98	316	69	497	41	343	309	...	...
Chief Courts of Districts	66	10	11	3	..	...	6	1	4	5	...	...
Total ...	45,618	14,855	2,273	900	8,584	933	5,625	826	3,620	2,223	...	...
II.—Revenue Courts.												
Unpaid Local Tribunals	...	...	...	...	...	...	...	...	...	...	...	
Other Subordinate Courts	...	-	...	...	...	...	...	...	...	...	5,606	405
District Courts	...	...	...	..	...	...	...	...	...	...	10	..
Total ...	..	...	...	..	...	...	...	...	...	...	5,616	405
Courts at the Presidency or Seat of Government.												
Presidency Small Cause Courts ..	...	...	...	...	...	...	...	...	...	...	...	...
Superior Courts	...	...	...	...	...	...	...	...	...	...	...	...
Total ...	...	...	...	..	...	...	..	...	...	...	...	...
Grand Total ...	45,618	14,855	2,273	900	8,584	933	5,625	826	3,620	2,223	5,616	405

MENT 7 (Civil.)

in the Civil Courts in the Central Provinces in the year 1881.

under the Rent Law.						Title and other Suits.																	
Relating to distraint.	Damages for extortion or withholding receipts, or on account of illegal restraint, or other cause.	For pattahs or kabulyats.	For ejectment or recovery of possession.	For recovery of money or accounts from agents.	All other suits under the Rent Law not included above.	Suits for immoveable property.	Suits for declaratory decrees.	Other suits under the Specific Relief Act.	Suits to declare and establish rights to real property including preemption, foreclosure &c.	Suits to declare and establish personal rights.	Suits for an account.	Suits relating to religious endowments.	Suits to set aside judgments, contracts or obligation on the ground of fraud.	Suits for dissolution of marriage.	Suits for enforcement of matrimonial rights.	Suits for partition	Suits relating to shipping.	Suits relating to religion and caste.	Administration suits.	Interpleader Suits.	Dissolution of partnership.	Suits under Section 261, Act X of 1865 (also Hindu Wills' Act.)	Other suits not falling under any of the previous heads.	Grand Total.
14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	20	31	32	33	34	35	36	37	38
...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
...	...	...	...	...	...	370	3	2	1	3	...	...	3	...	...	1	...	...	...	...	...	...	2	66,06
...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	12,80
...	...	...	...	...	...	3,021	108	85	281	42	37	2	68	8	258	11	...	1	1	...	1	...	28	10,82
...	...	...	...	...	...	63	2	1	9	...	14	...	3		11	1		...	...	...	1	...	4	21
...	...	...	...	...	...	3,454	113	88	291	45	51	2	74	8	269	13	...	1	1	...	2	...	34	89,903
...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
5	14	61	1,299	19	337	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	7,746
...	...	...	4	2	1	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	17
5	14	61	1,303	21	338	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	7,763
...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
5	14	61	1,303	21	338	3,454	113	88	291	45	51	2	74	8	269	13	...	1	1	...	2	...	34	97,666

JUDICIAL STATEMENT 8.—(Civil)

Statement showing number and value of suits instituted in the Civil and Revenue Courts in the Central Provinces in the year 1881.

Value of Suits.	Number of suits instituted in the different Courts.									Total value of suits.	Remarks.
	Not exceeding Rs. 10.	Ditto Rs. 50.	Ditto Rs. 100.	Ditto Rs. 500.	Ditto Rs. 1,000.	Ditto Rs. 5,000.	Ditto Rs. 10,000.	Exceeding Rs. 10,000.	Number of suits the value of which cannot be estimated in money.		
1	2	3	4	5	6	7	8	2	10	11	12
Courts in the interior.											
I.—Courts.											
Unpaid Tribunals	...	...	...	...	...	...	...	...	...	...	
Village Courts	...	...	...	...	...	...	...	...	...	...	
Paid Sub-Divisional Tribunals	20,115	35,412	7,277	3,256	...	...	...	...	...	20,39,046	
Small Cause Courts	3,974	6,402	1,408	966	55	...	...	...	...	5,33,729	
District Courts other than Chief Courts of Districts...	1,024	2,593	2,355	3,839	666	341	2	2	...	21,75,757	
Chief Courts of Districts	2	11	18	42	13	79	33	18	...	10,77,246	
Total ...	25,115	44,418	11,058	8,103	734	420	35	20	...	58,25,778	
II.—Revenue Courts.											
Unpaid Tribunals	...	...	...	...	...	...	...	...	...	...	
Other Subordinate Courts	2,866	3,638	699	499	40	4	...	...	...	2,85,082	
Collector's Courts	6	5	2	2	...	2	...	...	...	2,900	
Total ...	2,872	3,643	701	501	40	6	...	...	...	2,87,982	
Courts at the Presidency or seat of Government.											
Presidency Small Cause Courts	...	...	...	...	...	...	...	...	...	...	
Superior Courts	...	...	...	...	...	...	...	...	...	...	
Total ...	...	...	...	...	...	...	...	...	...	...	
Grand Total ..	27,987	48,061	11,759	8,604	774	426	35	20	...	61,13,760	

JUDICIAL STATEMENT 9—(Civil).

Statement showing the general result of the trial of Civil and Revenue cases in the Courts of Original Jurisdiction in the Central Provinces in the year 1881.

PART I.—CIVIL SUITS.

Class of Courts.	Total number of suits before the Courts.	Number of suits disposed of: Transferred to Courts in other Provinces.	Without trial.	Without contest: Compromised.	Decreed on confession.	Decreed *ex parte*.	Dismissed *ex parte*.	On reference to arbitration: For plaintiff.	For defendant.	With contest: Judgment for plaintiff in whole or in part.	Judgment for defendant.	Pending at the close of the year.	Number of cases pending more than three months at the close of the year.	Average duration of suits: Contested.	Uncontested.	Remarks.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
COURTS IN THE INTERIOR.																
I.—CIVIL COURTS.																
Unpaid Tribunals ..	...	...	...	...	...	...		...	...	..	.	...	...	..	...	
Village Courts ...	...	...	...	..	...	...	.	...	...	...	...	...	...	...	...	
Paid Sub-divisional Tribunals ..	68,982	...	13,846	9,073	16,448	9,836	554	115	23	11,772	3,588	3,865	11	37·8	24·4	
Small Cause Courts ...	13,372	...	2,219	1,213	3,279	2,627	44	15	4	2,457	681	852	19	30·2	22·8	
District Courts other than Chief Courts of districts ...	11,777	...	1,965	779	2,037	1,291	97	50	15	3,159	1,593	856	7	50·1	33·(	
Chief Courts of districts ..	245	..	32	17	26	25	2	7	1	66	42	35	12	84·9	50·	
Total ...	94,376	..	18,062	11,082	21,790	13,779	697	187	43	17,454	5,904	5,608	49	39·5	25·1	
II.—REVENUE COURTS.																
Unpaid Local Tribunals ...	...	...	...	...	...	...	..	...	...	...	...	...	..	...	..	
Other Subordinate Courts ...	8,036	...	1,488	894	1,272	809	96	14	2	2,273	836	368	18	53·6	30·6	
District Courts ..	17	...	9	...	...	1	1	...	...	1	2	3	3	51·	57·2	
Total ...	8,053	...	1,497	894	1,272	810	97	14	2	2,274	838	371	21	53·6	30·7	
COURTS AT THE PRESIDENCY OR SEAT OF GOVERNMENT.																
Presidency Small Cause Courts ..	...	...	...	...	...	...	...	...	...	...	...	...	...	...	.	
Superior Courts ...	...	...	...	...	...	...	...	...	...	...	...	...	..	.	...	
Total ...	...	..	...	...	...	..	...	...	..	...	...	..	...	..	.	
Grand Total .	1,02,429	..	19,559	11,976	23,062	14,589	794	201	45	19,728	6,742	5,979	70	41·2	25·4	

JUDICIAL STATEMENT 9—(Civil).

Statement showing the general result of the trial of Civil and Revenue Cases in the Courts of Original Jurisdiction in the Central Provinces in the year 1881.

PART II.—MISCELLANEOUS CASES (JUDICIAL.)

Class of Courts.	Total number of cases before the Courts	Number of cases disposed of										Pending at the close of the year.	No. of cases pending more than three months at the close of the year.	Average duration of cases.		Remarks.
		Transferred to Courts in other Provinces.	Without trial.	Without contest.				On reference to arbitration.		With contest.						
				Compromised.	Decreed on confession.	Decreed ex parte.	Dismissed ex parte.	For plaintiff.	For defendant.	Judgment for plaintiff in whole or in part.	Judgment for defendant.			Contested.	Uncontested.	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
COURTS IN THE INTERIOR.																
I.—CIVIL COURTS.																
Unpaid Tribunals ...	...	...	...	..	...	.	..	...	...	..	...	...	...	...	...	
Village Courts ...	...	...	..	..	..	.	.	..	.	.	...	...	...	.	...	
Paid Sub-Divisional Tribunals ...	3,702	...	1,010	187	507	375	105	25	10	878	540	65	...	26·	17·8	
Small Cause Courts ...	565	...	296	18	22	11	3	...	...	106	84	25	19	19·2	17·7	
District Courts other than Chief Courts of Districts ..	1,675	...	420	28	144	267	70	14	8	393	278	53	...	23·4	20·	
Chief Courts of Districts ..	728	...	347	1	96	97	31	..	...	114	27	15		29·8	53·8	
Total ...	6,670	...	2,073	234	769	750	209	39	18	1,491	929	158	19	25·	23·4	
II.—REVENUE COURTS.																
Unpaid Local Tribunals ..	...	...	..	..	..	..	..	...	...	...	...	..	...	...	...	
Other Subordinate Courts ...	162	..	29	22	9	11	14	37	6	14	14	6	...	31·1	38·4	
District Courts .	5	...	5		...	.	.	...	..	...	.	...	...	..	18·	
Total ...	167	...	34	22	9	11	14	37	6	14	14	6	...	31·1	37·5	
COURTS AT THE PRESIDENCY OR SEAT OF GOVERNMENT																
Presidency Small Cause Courts ..	...	..	...	.	...		.	...	...	...	...	...	...	...	...	
Superior Courts ..	...	...	...	.	...		...	...	...	..	...	..	...	...	..	
Total .	...	.	...		..	..	.	..	..	...	...	...	...	...	...	
Grand Total .	6,837		2,107	256	778	761	223	76	24	1,505	943	164	19	25·1	23·8	

JUDICIAL STATEMENT 10.—(Civil.)

Statement showing the business of the Civil and Revenue Appellate Courts of the Central Provinces in the year 1881.

PART I.—Appeals.

Class of Courts.	Total number of appeals before the Court.	Transferred to Courts in other Provinces.	Appeals summarily rejected.	Dismissed for default or otherwise not prosecuted	Heard *ex parte*.				Contested.				Pending.	Of these pending more than three months.	Average duration of appeals	Objections under Section 561, Act X. of 1877.
					Confirmed.	Modified.	Reversed	Remanded	Confirmed.	Modified	Reversed.	Remanded.				
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
Courts in the interior.																
Appeals from original decrees																
A.—Civil Courts.																
Chief Appellate Courts other than Chief Courts of Districts	250		1	21		1		1	109	26	43	14	34		26·8	..
Chief Appellate Courts of Districts	3,090		184	224	123	27	52	18	1,350	241	474	170	227	3	31·7	8
Superior Appellate Courts other than Chief Court of Province	628	.	8	7	25	5	5	6	264	49	113	73	73	2	32·4	9
Total	3,968		193	252	148	33	57	25	1,723	316	630	257	334	5	31·4	17
B.—Revenue Courts.																
Collectors' Appellate Courts	294		15	18	11		4	2	126	21	56	18	23	1	23·4	
Commissioners' Appellate Courts	360		2	19	15	2	2	5	134	24	51	27	79	2	47·4	1
Total	654		17	37	26	2	6	7	260	45	107	45	102	3	38·1	1
Courts at the Presidency or Seat of Government.																
Chief Court of Province { Appeals from original decrees						.		.								...
Chief Court of Province { Appeals from appellate do. { Civil	537		196	4	2	..	3	8	51	15	53	57	148	26	38·1	..
Chief Court of Province { Appeals from appellate do. { Rev	34		11	1		...			4	1	5		12		102·2	
Total	571		207	5	2	.	3	8	55	16	58	57	160	26	41·5	
Grand Total	5,193		417	294	176	35	66	40	2,038	377	795	359	596	34	41·	18

NOTE.—The revenue appeals in the Commissioners' Appellate Courts have been shewn under "B. Revenue Courts".

JUDICIAL STATEMENT 10.—(CIVIL.)

Statement showing the business of the Civil and Revenue Appellate Courts of the Central Provinces in the year 1881.
Part II.—Miscellaneous Appeals (Judicial.)

Class of Courts.	Total number of appeals before the Court.	Transferred to Courts in other Provinces.	Appeals summarily rejected.	Dismissed for default or otherwise not prosecuted.	Heard *ex parte*.				Contested.				Pending.	Of these pending more than three months.	Average duration of appeals.	Objection under Section 561, Act X of 1877.
					Confirmed.	Modified.	Reversed.	Remanded.	Confirmed.	Modified.	Reversed.	Remanded.				
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
COURTS IN THE INTERIOR.																
Appeals from original decrees ...																
A.—CIVIL COURTS.																
Chief Appellate Courts other than Chief Courts of Districts ...	19	...	1	..	5	...	1	...	5	1	3	2	1	...	26·	...
Chief Appellate Courts of Districts ...	121	...	12	13	26	1	13	1	21	2	17	12	3	..	26·4	...
Superior Appellate Courts other than Chief Court of Province ...	74	...	1	1	19	...	5	4	17	...	16	6	5	1	25·	...
Total ...	214	.	14	14	50	1	19	5	43	3	36	20	9	1	24·2	...
B.—REVENUE COURTS.																
Collectors' Appellate Courts ...	33	...	2	3	...	...	...	...	18	...	7	1	2	...	28·9	...
Commissioners' Appellate Courts ..	23	.	...	.	...	...	...	7	2	..	1	13	...	..	32·7	..
Total ..	56	.	2	3	.	...	...	7	20	.	8	14	2	...	30·5	...
COURTS AT THE PRESIDENCY OR SEAT OF GOVERNMENT.																
Chief Court of Province { Appeals from original decrees..	.	...	...		...	...	...	..	...		...	.	..	...	...	...
Chief Court of Province { Appeals from Appellate do. ...	24	..	12	1	...	.	2	...	...	1	3	.	5	...	107·4	...
Total .	24	..	12	1	...	...	2	..	..	1	3	..	5	...	107·4	...
Grand Total ...	294	.	28	18	50	1	2	12	63	4	47	34	16	1	34·3	...

NOTE.—The revenue appeals in the Commissioners' Appellate Courts have been shewn under "B Revenue Courts."

JUDICIAL STATEMENT 11.—(Civil.)

STATEMENT showing the result of proceedings on applications for the execution of the decrees of the Civil and Revenue Courts in the Central Provinces, in the year 1881.

Class of Courts.	Total number of applications for the execution of decree before the Courts.	Applications disposed of				Pending at the end of the year.	Number of applications pending more than three months at the close of the year.	Amount realised.		Number of applications.											
		By transfer.	Satisfaction obtained in full.	Satisfaction obtained in part.	Wholly infructuous.			With the issue of process.	Without the issue of process.	On which the judgment-debtor was imprisoned.	On which he was arrested, but released without imprisonment.	On which moveable property.		On which immoveable property.			On which possession was given.		On which specific performance was enforced.	On which partition was effected.	On which execution was effected otherwise than the preceding columns.
												Was sold.	Was attached but subsequently released.	Was sold.	Was dealt with under Secs. 305, 320 or 326, Act X of 1877.	Was attached but subsequently released under Section 276.	Of moveables.	Of immoveables.			
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
COURTS IN THE INTERIOR.																					
I.—Civil Courts.																					
Unpaid Tribunals ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Village Courts ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Paid Sub-Divisional Tribunals ...	36,106	620	9,617	7,809	13,922	4,138	244	2,63,594	46,252	273	1,183	3,245	4,186	2,160	200	2,795	63	65	1	...	295
Small Causes Courts ...	8,381	402	1,974	1,693	3,543	769	132	44,774	6,999	191	420	466	379	...	...	...	...	...	...	...	...
District Courts other than Chief Courts of Districts ...	11,246	55	3,060	2,598	4,125	1,408	328	4,49,150	50,503	117	299	985	1,013	805	79	1,123	66	871	35	2	135
Chief Courts of Districts ...	279	13	68	58	66	74	34	68,809	4,230	2	7	40	31	29	6	26	1	17	...	...	...
Superior Courts ..	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Total ...	56,012	1,090	14,719	12,158	21,656	6,389	738	8,26,327	1,07,984	583	1,909	4,736	5,609	2,992	285	3,944	130	953	36	2	430
II.—Revenue Courts.																					
Unpaid Local Tribunals ..	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Other Subordinate Courts ..	2,953	4	1,399	508	779	263	34	31,895	6,893	12	42	200	460	81	20	146	16	216	1	...	22
District Courts ..	2	...	1	...	1	...	...	1	...	...	...	...	1	...	...	...	...	...	...	...	...
Total ..	2,955	4	1,400	508	780	263	34	31,896	6,893	12	42	200	461	81	20	146	16	216	1	...	22
COURTS AT THE PRESIDENCY OR SEAT OF GOVERNMENT.																					
Presidency Small Causes Courts ..	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Superior Courts ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Total ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Grand Total ...	58,967	1,094	16,119	12,666	22,436	6,652	772	9,58,223	1,14,877	595	1,951	4,936	6,070	3,073	305	4,090	146	1,169	37	2	452

JUDICIAL STATEMENT 12.—(Civil).

Statement showing the number and result of applications and proceedings under Chapter XX, Act X of 1877, in the Central Provinces, in the year 1881.

Class of Courts.	Applications for a declaration of insolvency.								Number of insolvents discharged during the year under Section 355.	Number of insolvents' estates in the hands of receivers in which proceedings were finally closed during the year	Amount of creditors' claims dealt with during the year.		Gross amount of insolvents' assets realised and disbursed.		Remarks.
	Total number for hearing.	Transferred to another Province, withdrawn, &c.	Granted.		Rejected.			Pending at the close of the year.			Admitted.	Satisfied.	Realized during the year.	Disbursed during the year.	
			A receiver being appointed.	A receiver not being appointed.	Penal proceedings under Section 359 not being taken.	Sentence of imprisonment being passed under Section 359.	Applicant being sent to the Magistrate to be dealt with								
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
											Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	
Courts other than Chief Courts of Districts	170	56	34	14	51	..	1	14	26	30	1,19,869 7 8	7,481 0 8	13,652 12 10	7,496 0 2	
Chief Courts of Districts .	24	6	..	10	4	.	.	4		...	.	...	.	...	
Superior Courts	...	..	...	.	.				..	.		...	.	...	
Total ...	194	62	34	24	55	..	1	18	26	30	1,19,869 7 8	7,481 0 8	13,652 12 10	7,496 0 2	

JUDICIAL STATEMENT 13.—(Civil and Criminal.)

(Showing use of Juries and Assessors in the Civil and Criminal Courts in the Central Provinces in the year 1881, is blank as a Civil return.)

ADDITIONAL

STATEMENTS.

[Giving statistics of Civil suits only, and showing totals for each District.]

Statement showing the number and description of suits Instituted in the Civil

Districts.	Suits for money or moveable property.												
	Contract in writing.	Contract not in writing.	On account stated.	Money had and recevied.	Goods sold.	Wages, work and materials.	Breach of contract not mentioned above.	Rent not falling under the Rent Law.	Moveable property or value thereof.	Damages.	Suits for immoveable property.	Suits for declaratory decrees.	Other suits under the Specific Relief Act.
1	2	3	4	5	6	7	8	9	10	11	12	13	14
Nagpur ...	12,384	2,154	343	262	2,358	115	263	168	505	357	448	25	20
Chanda ...	2,487	344	154	37	339	8	346	10	127	50	64	1	12
Bhandara ...	3,300	641	13	26	142	13	365	11	62	94	89	5	4
Wardha ...	3,714	1,045	606	26	567	20	23	26	422	82	242	8	21
Balaghat ...	2,741	993	291	107	820	81	52	79	131	188	428	7	4
Jubbulpore ...	756	387	44	2	87	9	245	18	85	85	57	...	3
Saugor ...	1,634	536	85	22	202	24	267	34	190	55	170	9	10
Damoh ...	184	186	29	10	91	4	17	6	48	49	17	1	...
Seoni ...	833	569	5	30	163	3	154	13	78	81	73	3	...
Mandla ...	1,098	392	31	8	83	9	32	12	80	52	128	...	1
Hoshangabad ..	3,022	1,109	220	55	373	190	1,452	79	202	86	380	4	...
Betul ...	1,157	549	23	42	193	26	143	19	167	113	57	22	...
Narsinghpur ...	2,426	614	37	11	7	120	559	89	480	68	281	4	1
Chhindwara ..	2,211	604	16	18	265	9	172	13	94	92	129	3	1
Nimar ...	4,205	398	258	157	1,120	139	231	73	164	78	136	8	...
Raipur ...	1,805	1,820	84	57	1,012	57	512	75	373	286	231	6	2
Sambalpur ...	913	582	5	20	252	32	275	10	198	246	337	5	2
Bilaspur ...	748	1,432	29	10	510	74	517	91	240	161	187	2	6
Total ...	45,618	14,855	2,273	900	8,584	933	5,625	826	3,620	2,223	3,454	113	88

STATEMENT No. II.—Exhibition of above Grand

Not exceeding Rs. 10	6,204	7,265	530	323	5,426	528	1,588	404	1,280	730	727	2	9
Do. „ 50	27,317	6,052	955	335	2,631	328	2,531	329	1,733	974	1,159	6	32
Do. „ 100	7,149	837	306	94	301	36	797	55	311	284	558	7	15
Do. „ 500	4,489	630	368	115	206	30	626	36	259	183	749	91	28
Do. „ 1,000	300	33	67	21	19	9	64	1	25	28	124	4	4
Do. „ 5,000	148	34	43	9	1	2	16	1	12	23	113	3	...
Do. „ 10,000	9	4	3	2	...	...	1	...	...	...	11	...	...
Exceeding „ 10,000	2	...	1	1	...	...	1	...	...	1	13	...	...
Grand Total ...	45,618	14,855	2,273	900	8,584	933	5,625	826	3,620	2,223	3,454	113	88

No. I.

Courts in the Districts of the Central Provinces, during the year 1881.

Title and other suits.																Remarks.
Suits to declare and establish rights to real property, including pre-emption, foreclosure, &c.	Suits to declare and establish personal rights.	Suits for an account.	Suits relating to religious endowments.	Suits to set aside judgments, contracts or obligations on the ground of fraud.	Suits for dissolution of marriage.	Suits for enforcement of matrimonial rights.	Suits for partition.	Suits relating to shipping.	Suits relating to religion and caste.	Administration suits.	Interpleader suits.	Dissolution of partnership.	Suits under Section 261, Act X. of 1865 (also Hindu Wills Act).	Other suits not falling under any of the previous heads.	Total.	
15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	
51	17	5	..	8	4	45	1	...	..	1	.	..	..	4	19,539	
...	1	1	1	11	..	6	1	..	..	..	.	..	..	2	4,002	
8	3	16	1	5		12	5	...	.	...	...	1	..	1	4,817	
9	6	2	...	5	2	22	..	...	.	..	..	.	..	1	6,849	
38	1	5	...	3	.	27	1	...	..	.	.	...	.	...	5,997	
...	...	...	...	2	1	15	1	...	...	...	.	...	..	1	1,798	
7	6	5	...	2	...	6	...	...	...	..	..	..	..	1	3,265	
2	...	...	...	...	.	5	...	...	..	...	...	...	..	1	650	
1	...	2	...	...		10	...	...	...	...	.	..	..	1	2,019	
4	2	.	..	3	.	2	2	...	.	.	.		..	1	1,040	
5	1	7	..	3	.	18	...	...	.		..	1	...	6	7,213	
31	...	...	...	4	.	9	...	...	...	..	.	.	..	1	2,556	
2	3	4	..	1	1	7	...	..	...	..	...	..	..	7	4,722	
1	2	...	..	3	.	11	...	...	..	...	..	...	..	2	3,646	
9	...	1	...	...	..	36	...	...	.	...	.	...	..	...	7,513	
78	1	2	..	10	.	13	..	...	...	..	..	.	..	2	6,426	
44	1	..	...	7	.	12	2	...	1	.	...	..	..	2	2,946	
1	1	1	.	7	...	13	...	...		.	.	..	..	1	4,005	
291	45	51	2	74	8	269	13	...	1	1	...	2	..	34	89,903	

Total in detail of values.

Number of suits instituted in different Courts.						
Small Cause Courts.	Nath Tahsildar's Courts.	Courts of Tahsildars	Courts of Assistant Commissioners.	Courts of Deputy Commissioners.	Total value of suits [as computed under the Court Fees Act.]	
31	32	33	34	35	36	
95	2	..	1	...	..	..	...	...	.	.	...	...	..	1	25,115	3,974	15,886	4,229	1,094	2	1,73,161
14	2	1	...	10	.	..	3	.	.	..	..	..	...	5	44,418	6,402	25,275	10,137	2,593	11	10,53,666
18	2	.	...	15	4	261	2	...	..	...	...	..	...	6	11,058	1,408	...	7,277	2,355	18	7,86,428
146	31	45	1	36	4	8	2	..	1	...	.	1	...	18	8,103	966	.	3,256	3,839	42	16,09,519
13	3	2	...	11		...	5	..	..	..	...	..	...	1	734	55	...	...	666	13	5,69,001
5	5	1	...	2	...	...	...	...	...	...	..	1	...	1	420	...	...	..	341	79	6,98,841
...	...	1	...	...	..	...	1	...	...	1	...	...	...	2	35	...	...	...	2	33	2,61,058
...	...	1		...	..	...	...	...	..	.	...	...	...	...	20	...	...	...	2	18	6,74,104
291	45	51	2	74	8	269	13	...	1	1	...	2	..	34	89,903	12,805	41,161	24,899	10,822	216	58,25,778

No.

Statement showing the result of the trial of Original suits

Districts.	For disposal.								
	Remaining at close of previous year.	Re-instituted during the year (Sections 99, 108, 562, 623, Act X of 1877.)	Received by transfer from other Provinces during the year.	Instituted during the year (Section 58, Act X of 1877.)	Total.	Transferred to other Provinces.	Plaint rejected or returned after institution.	Dismissed for default (Section 58 Act X. of 1877.)	
								Number.	Percentage on total disposed of.
1	2	3	4	5	6	7	8	9	10
Nagpur ...	1,143	325	...	19,214	20,682	...	65	2,751	14·2
Chanda ...	175	53	...	3,049	4,177	...	24	603	15·4
Bhandara ...	288	111	...	4,706	5,105	...	16	800	17·2
Wardha ...	374	197	...	6,652	7,223	...	30	1,090	15·8
Balaghat ...	82	61	...	1,737	1,880	...	6	354	20·4
Jubbulpore ...	214	109	...	5,888	6,211	...	36	1,058	17 9
Saugor ...	131	69	...	3,196	3,396	...	24	452	13·8
Damoh ...	75	37	...	1,903	2,015	...	11	450	23·3
Seoni ...	60	19	...	2,000	2,079	...	12	346	17·8
Mandla ...	18	20	...	630	668	...	2	144	22·8
Hoshangabad ...	296	165	...	7,048	7,509	...	28	1,674	23·4
Betul ...	114	41	...	2,515	2,670	...	24	464	18·1
Narsinghpur ..	132	116	...	4,606	4,854	...	34	1,045	23·0
Chhindwara ...	195	68	...	3,578	3,841	...	16	754	20·5
Nimar ...	375	106	...	7,407	7,888	...	35	1,891	25·3
Raipur ...	321	78	...	6,348	6,747	...	52	1,292	20·7
Sambalpur ...	315	74	...	2,872	3,261	...	59	594	19·7
Bilaspur ...	165	24	...	3,981	4,170	...	34	645	16·5
Total ... 1881 ...	4,473	1,673	...	88,230	94,376	...	508	16,407	18·5
Total ... 1880 ...	4,161	1,731	...	89,649	95,541	1	525	16,479	18·1

III.

in the Districts of the Central Provinces, during the year 1881.

Withdrawn with leave (Section 373, Act X of 1877).	Compromised.		Decreed on confession (in full of claim.)		Decreed *ex parte*.					Contested and disposed of by			
						Dismissed *ex parte*.		Total.		Judgment for plaintiff.			
										In whole of claim.		In part of claim.	
	Number.	Percentage on total disposed of.	Number.	Percentage on total disposed of.	Decreed.	Number.	Percentage of total *ex parte*	Number.	Percentage of total disposed of.	Number.	Percentage on total contested.	Number.	Percentage on total contested.
11	12	13	14	15	16	17	18	19	20	21	22	23	24
416	2,146	11·1	5,370	27 8	4,102	65	1·6	4,167	21·5	2,289	51·6	1,308	29·5
80	389	9 9	1,266	32·4	669	37	5 2	706	18·0	425	50·3	300	35·5
84	353	7·6	1,473	31·7	931	49	5·0	980	21·1	430	45·7	296	31·5
159	646	9·4	1,445	21·0	1,307	60	4·4	1,367	19·0	794	37·1	964	45·0
20	143	8·2	466	26·8	227	17	6·9	244	14·1	140	27·9	213	42·4
38	688	11 7	1,391	23·6	699	59	7 8	758	12·9	678	35·2	602	31·2
22	696	21·3	743	22 8	314	28	8 2	342	10 5	429	43·5	317	32·2
14	413	21·4	406	21·1	190	3	1·5	193	10·0	178	40·3	122	27·7
18	299	15·4	449	23·2	195	3	1·5	198	10·2	257	41·6	209	33·9
5	107	17·0	132	20·9	67	7	9·4	74	11·7	58	34 7	61	36·5
56	991	13·9	1,345	18·8	1,078	37	3·3	1,115	15·6	825	42·7	584	30·2
11	465	18·1	638	24·9	330	9	2·6	339	13·2	266	42·6	182	29·2
11	301	6·6	1,189	26 2	599	27	4·3	626	13·8	477	35·7	496	37·1
11	436	11·9	1,023	27·8	587	32	5 2	619	16·9	350	43·0	204	25·1
54	633	8·5	1,968	26·3	1,029	97	8·6	1,126	15·0	804	45·2	483	27·2
94	1,158	18·6	1,123	18·0	751	92	10·9	843	13·5	609	36·2	585	34·8
30	371	12 3	558	18·4	293	22	7·0	315	10·4	368	33·4	400	36·4
24	847	21 6	805	20·6	411	53	11·4	464	11·9	348	31·8	403	36·8
1,147	11,082	12 5	21,790	24·5	13,779	697	4·3	14,476	16·2	9,725	41 6	7,729	33·1
1,195	11,673	12·8	22,902	25·2	13,679	754	5·2	14,333	15·9	9,911	41·7	7,673	23 2

Districts.	Disposed of—Contd.					Pending.		
	Contested and disposed of by. Judgment for Defendant.		Total.					
	Number.	Percentage on total contested.	Number.	Percentage on total disposed of	Total.	Total.	Over two and not over three months.	Over three months.
	25	26	27	28	29	30	31	32
Nagpur	837	18·9	4,434	22·9	19,349	1,333	25	20
Chanda	120	14·2	845	21·6	3,913	264	5	2
Bhandara	215	22·8	941	20·2	4,647	458	8	3
Wardha	384	17·9	2,142	31·1	6,879	344	10	1
Balaghat	149	29·7	502	29 0	1,735	145	5	...
Jubbulpore	647	33 6	1,927	32·7	5,896	315	5	2
Saugor	239	24·3	985	30·2	3,264	132	...	1
Damoh	141	32·0	441	22·9	1,928	87	...	...
Seoni	151	24·5	617	31 8	1,939	140	...	6
Mandla	48	28·8	167	26 5	631	37	1	2
Hoshangabad	524	27·1	1,933	27·1	7,142	367	12	3
Betul	176	28·2	624	24·3	2,565	105	...	...
Narsinghpur	363	27·2	1,336	29 4	4,542	312	1	..
Chhindwara	260	31·9	814	22·2	3,673	168	1	...
Nimar	489	27·6	1,776	23 7	7,483	405	5	...
Raipur	486	29 0	1,680	26·9	6,242	505	18	6
Sambalpur	332	30·2	1,100	36 3	3,027	234	20	...
Bilaspur	343	31·4	1,094	27·9	3,913	257	1	3
Total ... 1881 ...	5,904	25·3	23,358	26·3	88,768	5,608	107	49
Total ... 1880 ...	6,245	26·1	23,859	26·2	91,067	4,474	249	7

III.—Contd.

Average.				Number of suits disposed of.									
Duration of suits (in days and tenths.)		Number of hearings in suits disposed of.						In which reference was made to arbitrators.					
Contested.	Uncontested.	Contested.	Uncontested.	Instituted *in forma pauperis* (S. 410, Act X. of 1877.)	In which commission issued for local investigation (S. 392, Act X. of 1877.)	In which commission issued to investigate or adjust accounts (S. 394, Act X. of 1877.)	In which a commission issued to make a partition (S. 396, Act X. of 1877.)	Found for plaintiff.	Found for defendant.	In which any matter was decided on oath of party or witness.	In which any of those costs of a successful plaintiff which are not more than proportionate to the relief decreed are decreed against such plaintiff.	In which payment by instalments was decreed (S. 210, Act X. of 1877.)	Remarks.
33	34	35	36	37	38	39	40	41	42	43	44	45	46
38·8	22·3	4·3	2·1	2	160	107	...	25	2	111	715	613	
36·9	27·2	3·1	1·9	3	11	6	...	11	2	7	79	224	
39·8	28·8	3·1	2·2	1	20	35	...	4	...	39	160	172	
47·6	28·9	3·1	1·8	...	46	51	...	9	...	80	218	430	
39·2	31·1	3·0	1·5	1	20	3	...	3	...	20	13	205	
28·9	19·5	2·0	1·0	1	48	12	...	10	4	43	99	448	
35·7	23·0	3·3	1·7	1	21	16	...	51	8	24	210	264	
33·8	22·3	3·4	2·0	...	9	...	...	9	2	12	44	91	
27·9	21·1	2·8	1·8	...	1	1	...	4	1	22	50	169	
32·3	22·3	3·7	1·9	3	1	...	...	...	1	7	9	26	
34·3	27·0	3·1	2·1	...	33	52	...	7	5	39	315	172	
21·0	14·7	2·8	1·7	...	6	...	...	7	3	22	21	153	
33·1	18·1	2·8	1·7	1	37	7	...	4	4	25	192	423	
26·3	18·2	2·8	1·6	...	22	10	...	6	1	21	124	429	
47·5	28·8	2·4	1·4	7	41	55	...	15	1	8	19	530	
50·3	34·1	3·8	2·3	...	49	16	...	4	1	18	52	341	
60·8	44·4	2·8	1·8	...	68	1	1	7	2	64	11	110	
42·3	34·4	3·1	2·0	1	25	15	...	11	6	48	38	133	
39·5	25·1	3·0	1·9	21	618	387	1	187	43	610	2,369	4,033	
36·1	22·9	3·2	2·1	34	676	395	...	298		755	3,096	5,406	

STATEMENT No. IV.

Statement showing the General Result of the trial of Civil Cases in the Courts of Original Jurisdiction in the Districts of the Central Provinces during the year 1881.

PART II.—MISCELLANEOUS CASES (JUDICIAL.)

Districts.	Total number of cases before the Courts.	Number of cases disposed of.										Pending at the close of the year.	Number of cases pending more than three months at the close of the year.	Average duration of cases.		Remarks.
		Transferred to Courts in other Provinces.	Without trial.	Without contest.				On reference to arbitration.		With contest.						
				Compromised.	Decreed on confession.	Decreed *ex parte*.	Dismissed *ex parte*	For plaintiff.	For defendant.	Judgment for plaintiff in whole or part.	Judgment for defendant.			Contested.	Uncontested.	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
Nagpur ...	1,540	...	416	86	235	170	34	4	...	356	215	24	19	28·0	16·8	
Chanda ...	407	...	95	35	47	51	15	4	3	76	58	23	...	34·4	22·3	
Bhandara ...	422	...	99	5	66	99	41	...	...	57	28	27	...	25·0	11·6	
Wardha ...	721	...	205	22	81	86	40	4	2	195	73	13	...	37·5	22·3	
Balaghat ...	213	...	77	3	21	32	8	...	...	43	18	11	...	29·8	17·8	
Jubbulpore ...	404	...	155	5	46	62	7	...	...	68	58	3	...	16·4	23·7	
Saugor ...	394	...	258	5	9	4	4	3	2	58	44	7	...	22·7	82·7	
Damoh ...	110	...	32	6	1	2	1	...	...	41	27	...	...	19·1	11·0	
Seoni ...	78	...	17	4	12	7	1	...	1	20	16	...	...	20·2	16·0	
Mandla ...	43	...	12	1	14	6	2	2	...	1	5	...	...	18·0	15·0	
Hoshangabad ...	700	..	194	16	47	93	22	...	2	161	144	21	...	19·7	17·1	
Betul ...	267	...	45	11	48	19	3	...	...	99	41	1	..	20·9	16·9	
Narsinghpur ...	256	...	91	8	17	26	3	...	4	86	20	1	...	28·3	19·7	
Chhindwara ...	273	...	98	6	70	13	...	...	...	44	35	7	..	18·3	14·6	
Nimar ...	422	...	71	4	32	62	20	7	3	119	85	19	...	29·5	17·0	
Raipur ...	143	...	54	8	11	3	1	11	...	30	24	1	...	39·0	33·6	
Sambalpur ...	192	...	111	6	9	10	6	1	...	25	24	...	..	21·4	6·0	
Bilaspur ...	85	...	43	3	3	5	1	3	1	12	14	...	...	59·6	41·1	
Total ...	6,670	...	2,073	234	769	750	209	39	18	1,491	929	158	19	25·	23·4	

STATEMENT No. V.

Statement showing the business of the Civil Appellate Courts of the districts of the Central Provinces during the year 1881.

PART I.—Appeals from Decrees.

Courts.	For disposal. Details required only in Annual Statements. Remaining at close of previous year.	Received by transfer from other Provinces.	Instituted or re-admitted.	Total (Col. 17 plus 18.)	Disposed of. Transferred to other Provinces.	Dismissed for default, or under Sections 556, 557, Act X. of 1877.	Heard *ex parte*. Confirmed. Without notice to Respondent.	After notice to Respondent.	Modified.	Reversed. Without remand under S. 562, Act X of 1877.	And remanded under S. 562, Act X of 1877.	Contested. Confirmed.	Modified.	Reversed. Without remand under S. 562, Act X of 1877.	And remanded under S. 562, Act X of 1877.	Total.	Pending. Total.	Over three months.	Number of cases in which objections under Section 161, Act X of 1877 were. Preferred.	Allowed (because successfully maintained.)	Average duration of each appeal tried.	REMARKS.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23
Judicial Comr's Court. ...	101	...	436	537	..	4	196	2	...	3	8	51	15	53	57	389	148	26	...	...	118·6	
Comr. Nagpur Dn ...	19	...	110	129	..	3	...	...	...	...	...	62	7	24	7	103	26	1	5	2	42·3	
Comr. Jubbulpore and Nerbudda Dn ...	39	...	426	465	...	4	8	25	5	5	6	192	34	86	66	431	34	...	2	...	28·0	
Comr. Nerbudda Dn. ...	1	...	2	3	..	...	...	...	...	...	...	1	1	...	..	2	1	1	...	...	43·5	
Comr. Chhattisgarh Dn ...	1	...	30	31	..	...	...	...	...	...	...	9	7	3	...	19	12	...	...	...	70·1	
Total in Courts of Commissioners.	60	...	568	628	...	7	8	25	5	5	6	264	49	113	73	555	73	2	7	2	32·4	

STATEMENT No. V.—(Contd.)

Statement showing the business of the Civil Appellate Courts of the districts of the Central Provinces during the year 1881.

PART I.—Appeals from Decrees.

Courts.	For disposal. Details required only in Annual Statement. Remaining at close of previous year.	Received by transfer from other Provinces.	Instituted or re-admitted.	Total (Col. 17 plus 18.)	Disposed of. Transferred to other Provinces.	Dismissed for default, or under Sections 556, 557, Act X. of 1877.	Heard *ex parte*. Confirmed. Without notice to Respondent.	After notice to Respondent.	Modified.	Reversed. Without remand under S. 562, Act X of 1877.	And remanded under S. 562, Act X of 1877.	Contested. Confirmed.	Modified.	Reversed. Without remand under S. 562, Act X of 1877.	And remanded under S. 562, Act X of 1877.	Total.	Pending. Total.	Over three months.	Number of cases in which objections under Section 161, Act X of 1877 were. Prefered.	Allowed (because successfully maintained.)	Average duration of each appeal tried.	REMARKS.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23
Nagpur	13	...	299	312	..	24	8	...	1	...	1	123	36	57	16	266	46	...	...	...	35·5	
Chanda	7	...	72	79	...	6	31	5	3	...	2	16	6	4	3	76	3	...	...	...	32·8	
Bhandara	6	...	100	106	...	10	2	2	2	3	4	25	19	20	1	88	18	...	...	...	41·0	
Wardha	9	...	265	274	...	19	...	6	...	4	...	123	17	60	22	251	23	...	3	2	25·1	
Balaghat	2	...	91	93	...	5	2	5	3	3	...	36	12	18	4	88	5	...	...	...	20·5	
Jubbulpore	6	...	92	98	...	8	...	6	1	3	1	38	8	9	17	91	7	...	...	...	29·9	
Saugor	9	...	172	181	...	13	...	14	7	4	4	70	16	24	25	177	4	...	...	1	30·2	
Damoh	10	...	79	89	...	9	...	10	..	2	...	49	1	13	3	87	2	...	...	...	21·5	
Seoni	4	...	97	101	...	6	39	1	...	...	...	24	8	14	4	96	5	...	...	...	20·5	
Mandla	3	...	22	25	..	2	6	...	...	4	...	3	2	5	1	23	2	2	...	...	25·3	
Hoshangabad	30	...	321	351	...	28	83	12	3	11	...	108	13	51	6	315	36	..	...	...	36·6	
Betul	3	...	135	138	...	15	...	1	...	...	...	57	19	22	4	118	20	...	...	...	46·6	
Narsinghpur	19	...	279	298	...	25	...	10	1	3	6	150	21	55	18	289	9	1	2	...	22·5	
Chhindwara	9	...	155	164	...	13	1	8	3	4	...	84	15	28	5	159	5	...	...	...	19·0	
Nimar	27	...	228	255	...	17	...	29	1	2	...	164	8	17	5	243	12	...	...	...	29·9	
Raipur	39	...	282	321	...	12	1	12	2	4	1	161	28	50	29	300	21	...	...	...	24·7	
Sambalpur	51	...	244	295	...	29	7	1	...	1	...	139	27	45	19	268	27	...	...	...	37·1	
Bilaspur	9	...	151	160	...	4	5	1	1	4	...	89	11	25	4	144	16	..	...	...	28·6	
Total Districts ...	256	...	3,084	3,340	...	245	185	123	28	52	19	1,459	267	517	184	3,079	261	3	5	3	29·4	
Total for all Courts ...	417	...	4,088	4,505	...	256	389	150	33	60	33	1,774	331	683	314	4,023	482	31	12	5	64·6	

STATEMENT No. VI.

Statement showing the Business of the Civil Appellate Courts of the Districts of the Central Provinces during the year 1881.

PART II.—MISCELLANEOUS APPEALS (JUDICIAL.)

Districts.	Total number of appeals before the Court.	Transferred to Courts in other Provinces.	Appeals summarily rejected.	Dismissed for default or otherwise not prosecuted.	Heard *ex parte*.				Contested.				Pending.	Of these pending more than three months.	Average duration of appeals.	Objection under Section 561, Act X of 1877.	Remarks.
					Confirmed.	Modified.	Reversed.	Remanded.	Confirmed.	Modified.	Reversed.	Remanded.					
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Judicial Commissioner's Court	24	...	12	1	...	...	2	...	...	1	3	...	5	...	107 4	.	
Commissioner Nagpur Division	18	...	...	...	4	...	1	3	4	...	2	...	4	...	41·	...	
Additional Commissioner Jubbulpore and Nerbudda Division.	53	...	1	1	15	...	4	1	10	...	14	6	1	...	19·5	...	
Commissioner Nerbudda Division ..	...	...	...	...	...	...	...	...	..	...	...	...	...	...	...	...	
Commissioner Chhattisgarh-Division ..	3	...	...	...	...	...	...	...	3	...	...	.	...	...	46·(	...	
Total in Court of Commissioners ..	74	...	1	1	19	...	5	4	17	...	16	6	5	...	25·	...	
Nagpur	17	...	1	...	6	...	1	...	4	1	2	2	..	...	26 1	...	
Chanda	7	...	...	...	3	...	...	...	...	...	1	3	...	...	18·1	...	
Bhandara	3	...	...	...	...	...	...	...	1	...	2	...	...	...	25·(	...	
Wardha	2	...	...	1	1	...	...	...	...	..	...	...	...	...	32·0	...	
Balaghat	4	...	...	...	1	...	3	...	...	...	...	..	...	...	12 5	...	
Jubbulpore	5	...	1	...	..	...	...	...	...	...	...	3	1	...	25·2	...	
Saugor	5	...	1	...	1	...	2	...	1	...	...	...	...	...	32·0	...	
Damoh	2	...	...	1	...	...	...	...	...	...	1	...	...	...	20 5	...	
Seoni	2	...	...	...	1	...	...	1	...	...	...	...	...	...	5·5	...	
Mandla	4	...	1	1	2	..	...	...	...	...	...	...	...	...	19·5	...	
Hoshangabad	12	...	2	1	2	1	...	..	2	...	2	1	1	...	37·3	...	
Betul	5	...	...	1	...	...	1	...	2	...	...	...	...	...	26·8	...	
Narsinghpur	15	...	...	2	2	...	5	...	2	...	1	3	...	...	26·8	...	
Chhindwara	5	...	...	...	...	...	...	...	2	...	3	...	...	...	12·2	...	
Nimar	19	...	2	2	11	...	2	...	...	..	1	...	1	...	25·1	...	
Raipur	22	...	1	...	...	...	...	...	10	2	...	2	1	...	28·2	..	
Sambalpur	8	...	4	4	...	...	..	...	...	...	...	...	...	...	9·2	...	
Bilaspur	3	...	...	...	1	...	...	...	1	...	1	...	...	...	17 6	...	
Total Districts ...	140	...	13	13	31	1	14	1	26	3	20	14	4	...	26·	...	
Total in all Courts Civil ...	238	...	26	15	50	1	21	5	43	4	39	20	14	...	64·0	...	

STATEMENT No. VII.

Statement showing the result of proceedings on applications for the execution of the decrees of the Civil Courts in the Districts of the Central Provinces during the year 1881.

Districts.	Total number of applications for the execution of decrees before the Courts	Applications disposed of				Pending at the end of the year.	Number of applications pending more than three months at the close of the year.	Amount realized.		Number of applications.												
		By transfer.	Satisfaction obtained in full	Satisfaction obtained in part.	Wholly infructuous.			With the issue of process.	Without the issue of process.	On which the judgement debtor was imprisoned.	On which he was arrested, but released without imprisonment.	On which moveable property. Was sold.	On which moveable property. Was attached but subsequently released.	On which immoveable property. Was sold.	On which immoveable property. Was dealt with under Sections 305, 322 or 326, Act X. of 1877.	On which immoveable property. Was attached, but subsequently released under Section 275.	On which possession was given. Of moveables.	On which possession was given. Of immoveables.	On which specific performance was enforced.	On which partition was effected.	On which execution was effected otherwise than the preceding columns.	Remarks.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23
								Rs.	Rs.													
Nagpur ...	15,216	610	3,491	2,998	6,590	1,527	232	1,28,404	17,094	140	385	1,143	1,063	882	76	761	53	128	19	...	...	
Chanda ...	2,415	37	764	638	739	237	45	18,309	732	12	136	417	394	162	...	169	3	20	...	...	381	
Bhandara ..	2,680	44	776	613	805	442	25	41,334	3,881	9	20	433	381	228	3	252	1	19	1	...	..	
Wardha ..	4,419	154	991	712	2,087	475	65	34,719	19,228	61	128	24[illegible]	241	239	58	332	10	89	1	...	31	
Balaghat ...	1,061	4	303	233	316	205	15	15,405	1,868	12	21	144	172	39	6	63	2	15	2	...	...	
Jubbulpore ...	2,969	121	952	732	897	267	56	85,320	16,436	102	249	227	138	116	...	148	1	81	1	...	5	
Saugor ..	2,051	25	554	535	711	226	76	65,496	4,572	4	54	161	218	100	23	160	5	43	...	...	...	
Damoh ...	724	2	266	222	179	55	7	11,060	1,399	2	10	51	64	52	1	64	1	25	1	...	...	
Seoni ...	1,071	...	338	307	294	132	13	26,003	3,088	21	63	141	116	62	3	64	1	10	...	1	...	
Mandla ...	242	...	75	61	81	25	7	129	5	4	15	15	28	8	3	17	1	...	...	...	...	
Hoshangabad ..	5,296	77	1,360	1,292	2,064	503	81	2,36,297	10,878	58	159	318	727	224	31	523	4	163	2	...	7	
Betul ...	1,500	2	375	387	574	162	11	7,228	15,267	10	13	139	287	120	14	129	34	21	...	...	...	
Narsinghpur ...	3,686	1	756	1,007	1,435	487	58	807	77	26	54	293	614	246	36	563	10	100	6	...	4	
Chhindwara ...	2,399	...	656	09	778	256	6	41,360	137	36	132	349	255	227	3	207	...	42	...	...	...	
Nimar ...	4,710	4	1,418	747	2,190	351	29	58,899	1,489	44	175	153	313	145	6	304	1	30	...	...	..	
Raipur ...	2,806	...	672	483	1,089	562	3	36,888	10,591	10	67	234	257	108	...	106	2	68	...	...	...	
Sambalpur ...	1,358	...	494	215	456	193	5	18,160	1,168	21	146	115	228	15	18	50	...	54	3	...	1	
Bilaspur ...	1,409	9	478	267	371	284	4	509	74	11	84	162	113	19	4	32	1	45	...	1	1	
Total ...	56,012	1,090	14,719	12,158	21,656	6,389	738	8,26,327	1,07,984	583	1,909	4,736	5,609	2,992	285	3,944	130	953	36	2	430	

Statement showing (1) the fees levied for, and (2) the charges incurred in, the service and
Provinces during

		(1) Fees levied.								
		In separate detail for each Court.								
		On processes directed to be served by European bailiff (Special Rule 1).		On other processes issued.			For assisting in distraint (Special Rule III.)	Additional fees.		Grand total of fees levied (columns 2 to 9.)
		At Rs 2 rate	At Rs. 1 rate.	At Rs. 1 rate.	At As. 8 rate.	At As. 4 rate.		Under Special Rule VI	Under Special Rule V.	
1		2	3	4	5	6	7	8	9	10
		Rs	Rs.	Rs.	Rs. a	Rs. a.	Rs. a	Rs. a.	Rs. a	Rs. a.
Nagpur ...	Civil ...	30	144	6,603	5,435 8	16,438 8	.....	84 8	12 12	28,748 4
	Revenue ...	...	...	68	172 8	659 8	.....	.....	.....	900 0
Chanda ...	Civil ...	...	...	1,261	1,453 0	3,275 8	.....	15 0	9 0	6,013 8
	Revenue ...	...	...	54	45 0	224 12	.....	.....	.....	323 12
Bhandara ...	Civil ...	...	...	503	2,035 0	4,299 4	.....	9 8	.....	6,846 12
	Revenue ...	...	...	39	74 0	227 12	.....	3 0	.....	343 12
Wardha ...	Civil ...	...	...	3,246	1,426 8	6,139 12	.....	220 0	2 8	11,034 12
	Revenue ...	...	...	90	63 0	719 8	.....	1 8	.....	874 0
Balaghat ...	Civil ...	...	...	228	719 0	1,610 4	.....	15 15	.....	2,573 3
	Revenue ...	...	...	10	39 8	134 0	.....	.....	.....	183 0
Jubbulpore ...	Civil ...	48	111	2,312	807 8	5,126 4	.....	47 4	14 0	8,466 0
	Revenue ...	...	...	216	83 8	1,218 12	3 12	1 8	.....	1,523 8
Saugor ...	Civil ...	...	...	596	1,216 8	3,681 12	.....	112 4	.....	5,606 8
	Revenue ...	...	...	41	78 8	249 8	.....	1 8	.....	370 8
Damoh ...	Civil ...	...	...	230	385 8	1,613 0	.....	51 0	.....	2,279 8
	Revenue ...	...	...	38	42 8	162 4	.....	10 12	.....	253 8
Seoni ...	Civil ...	...	...	470	475 0	1,579 12	.....	8 0	.....	2,532 12
	Revenue ...	...	...	88	69 8	324 8	.....	.....	.....	482 0
Mandla ...	Civil ...	...	...	94	106 0	423 0	.....	2 4	.....	625 4
	Revenue ...	...	...	13	11 8	49 12	.....	.....	.....	74 4
Hoshangabad ...	Civil ...	...	...	3,044	2,324 0	6,684 12	7 0	377 4	.....	12,437 0
	Revenue ...	...	...	110	160 8	456 12	29 4	13 12	.....	770 4
Betul ...	Civil ...	...	...	288	1,403 0	1,934 0	.....	37 12	.....	3,662 12
	Revenue ...	...	...	35	65 0	166 8	.....	0 4	.....	266 12
Narsinghpur ...	Civil ...	...	...	1,205	2,277 8	4,332 0	.....	6 8	.....	7,821 0
	Revenue ...	...	...	14	244 8	720 0	.....	.....	.....	1,178 8
Chhindwara ...	Civil ...	...	...	973	1,448 0	3,760 0	.....	46 12	.....	6,227 12
	Revenue ...	...	...	46	53 8	241 12	.....	.....	.....	341 4
Nimar ...	Civil ...	...	...	1,550	1,678 0	3,716 0	.....	49 0	0 8	6,993 8
	Revenue ...	...	...	19	16 8	47 4	.....	.....	.....	82 12
Raipur ...	Civil ...	...	...	633	1,355 8	4,157 8	.....	.....	.....	6,146 0
	Revenue ...	...	...	60	62 8	258 8	.....	.....	.....	381 0
Sambalpur ...	Civil ...	...	...	623	453 0	2,231 0	.....	29 4	.....	3,336 4
	Revenue ...	...	...	100	69 8	413 12	.....	4 0	.....	587 4
Bilaspur ...	Civil ...	...	...	389	736 0	2,481 8	.....	.....	11 0	3,617 8
	Revenue ...	...	...	144	115 0	492 12	.....	5 12	.....	757 8
Total ...	Civil ...	78	255	24,248	25,734 8	73,483 12	7 0	1,112 3	49 12	1,24,968 3
	Revenue ...	...	...	1,385	1,466 8	6,767 8	33 0	42 0	.....	9,694 0
Grand Total ...		78	255	25,633	27,201 0	80,251 4	40 0	1,154 3	49 12	1,34,662 3

MENT No. VIII.

execution of processes issued out of the Civil and Revenue Courts in the Districts of the Central
the year 1881.

(2) Charges.												
In separate detail for each Court or set of Courts having a joint establishment.									Collectively for the Province.			
Naib Nazirs.		Salary of European bailiff.	Peons.						Contingencies.			Remarks, as (1) Number of processes re-issued without charge, Special Rule VI.
			1st class at Rs. 10.		2nd class at Rs 8.		3rd class at Rs. 6.					
Number.	Total salary.		No. on last day.	Total salary.	No. on last day.	Total salary.	No. on last day.	Total salary.	Heads of charges, e. g. process forms, registers, other stationery, official postage, servers' badges, furniture, &c.	Charges under each head.	Grand total of all charges (columns 12, 13, 15, 17, 19, and 21.)	
11	12	13	14	15	16	17	18	19	20	21	22	23
	Rs.	Rs.	No.	Rs.	No.	Rs.	No.	Rs.		Rs.	Rs.	
11	2,294	720	13	1,547	1[illegible]	1,143	110	7,658		242	13,604	427
2	359	...	1	96	4	367	26	1,838		9	2,669	...
2	360	...	3	351	3	287	35	1,984		...	2,982	...
3	844	...	3	345	4	329	38	2,509		146	4,173	3
1	180	...	1	93	1	92	14	905		72	1,342	...
2	420	720	6	710	3	321	25	2,361		244	4,776	...
3	660	...	3	356	3	286	39	2,505		182	3,989	...
2	420	...	2	205	...	...	12	1,249		7	1,881	...
1	180	...	2	240	1	90	14	1,093		7	1,610	...
...	...	...	1	75	...	...	9	556		10	641	18
4	779	...	8	942	1	146	38	2,743		...	4,610	4
2	417	...	2	177	1	76	19	1,199		10	1,879	6
3	600	...	4	475	4	463	28	2,358		60	3,956	109
2	390	...	4	431	3	270	26	1,782		40	2,913	98
2	420	...	6	720	1	96	28	1,975		36	3,247	...
3	471	...	2	230	3	249	37	2,374		...	3,324	7
2	418	...	2	233	2	185	17	1,092		6	1,934	1,172
2	352	...	2	234	3	287	29	1,658		...	2,531	908
47	9,564	1,440	65	7,460	49	4,687	541	37,839		1,071	62,061	2,754

STATEMENT No. IX.

Proceedings in Insolvency under Chapter XX., Act X of 1877, in the districts of the Central Provinces during the year 1881.
Part I. showing the number and result of applications under Section 344, and the number of insolvents before the Court.

	Application for a declaration of insolvency.																Persons declared to be insolvents.								
	Number of applications dealt with.						Applications disposed of.										Number of insolvents before the Court.				Disposed of				
		Filed during the							Granted.		Rejected.												Discharged.		
		By Judgment debtors.																							
	Pending at the close of previous year.	Under arrest or imprisonment.	Not under arrest or imprisonment.	By decree holder.	Received by transfer.	Total.	Transferred.	Withdrawn or otherwise not prosecuted.	A receiver being appointed.	A receiver not being appointed.	Penal proceedings under Section 359 not being taken.	Sentence of imprisonment being passed under Section 359.	Applicant being sent to the Magistrate to be dealt with.	Total.	Pending at the close of the year.	Remaining at the close of the previous year.	Declared to be insolvents during the year.	Received by transfer.	Total.	Transferred.	Died.	Under Section 351.	Under Section 355.	Remaining at the close of the year
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25
Nagpur	29	62	3	..	...	94	...	15	30	6	40	...	...	91	3	...	36	..	36	..	...	6	22	8
Chanda	...	1	3	...	...	4	...	1	1	1	...	...	1	4	...	...	2	...	2	...	..	2	...	...
Bhandara	..	3	...	...	...	3	...	2	...	1	...	...	...	3	...	...	2	...	2	...	...	2	...	...
Wardha	2	...	8	...	...	10	..	2	...	..	...	...	...	2	8	..	..	...	...	...	...	...	..	...
Balaghat	..	...	...	...	...	...	...	..	..	..	...	...	...	...	...	..	...	...	...	...	..	...	...	...
Jubbulpore	2	28	1	...	...	31	..	16	2	2	11	...	...	31	...	.	5	...	5	...	...	2	3	...
Saugor	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	..	..	...	...	...	...	..	..	...
Damoh	...	1	...	...	...	1	...	...	...	1	...	...	...	1	...	...	1	...	1	...	...	1	...	...
Seoni	...	8	...	...	...	8	..	2	...	6	...	...	...	8	...	..	6	...	6	...	...	6	...	...
Mandla	...	...	...	...	...	..	..	..	...	..	...	...	...	...	...	...	...	...	...	...	...	...	..	...
Hoshangabad	...	12	2	...	...	14	..	11	...	2	1	...	...	14	..	...	2	...	2	...	..	2	...	...
Betul	...	2	...	...	...	2	..	..	...	1	...	...	...	1	1	...	2	...	2	...	...	1	...	1
Narsinghpur	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	..	..	...	...	...	...	..	...	...
Chhindwara	..	...	...	...	...	..	...	...	...	..	...	...	...	...	...	...	...	...	..	...	...	...	...	...
Nimar	...	13	...	...	...	13	...	9	1	1	...	...	...	11	2	...	2	...	2	..	...	1	1	...
Raipur	..	1	1	...	...	2	...	...	...	1	...	...	...	1	1	...	2	..	2	...	..	1	...	1
Sambalpur	2	9	...	...	...	11	...	4	...	1	3	...	...	8	3	...	3	..	3	...	...	1	...	2
Bilaspur	...	...	1	...	...	1	...	...	...	1	...	...	...	1	...	..	1	...	1	...	...	1	...	...
Total ...	35	140	19	...	...	194	...	62	34	24	55	...	1	176	18	...	64	..	64	...	...	26	26	12

Part II. showing the number of estates in the hands of receivers and the progress made in winding up.

District.	Number of insolvents' estates in the hands of receivers.				Amount of creditors' claims dealt with during the year.														Amount of insolvents' assets realized and standing											
	Pending at the close of the previous year.	Placed in charge of a receiver during the year	Number of estates in regard to which proceedings were finally closed during the year	Pending at the close of the year.	Unsatisfied and pending at the close of previous year			Admitted.			Disallowed.			Satisfied.			Unsatisfied and pending at the close of the year.			Amount of realized assets in the hands of receivers at the close of the previous year.			Gross amount realized during the year.			Total amount of disbursements.			Amount remaining in the hands of receivers at the close of the year.		
1	2	3	4	5	6			7			8			9			10			11			12			13			14		
					Rs.	a.	p.	Rs.	a	p	Rs.	a	p.	Rs	a	p.	Rs.	a.	p.	Rs.	a	p	Rs.	a.	p.	Rs	a.	p.	Rs.	a.	p.
Nagpur	5	30	27	8	56,382	4	7	1,13,046	11	8	50,328	9	0	5,502	2	7	1,63,926	13	8	...		.	6,393	9	10	5,502	2	7	891	7	3
Chanda	...	1	1		...	.	.	439	10	0	...	..	..	3	5	6	436	4	6	...	.	...	3	6	3	3	5	..	0	1	3
Bhandara	...	..	.	.	...	.	.	...	.	...	...	.	..	...	.	..	...	.	.	...	.	...	...	..	.	...	...	..	...	.	..
Wardha	...	..	...	..	...	...	..	...	..	..	...	.	...	...	..	..	...	.	.	...	.	..	...	..	.	...	..	...	...	..	..
Balaghat	...	..	...	..	...	...		...	..	..	...	.	.	..	.	.	...	.	.	...	.	..	...			...	..		.	...	..
Jubbulpore	3	2	1	4	1,027	1	5	6,383	2	0	736	0	0	1,975	8	7	5,434	10	10	...		..	7,240	12	9	1,975	8	7	5,265	4	2
Saugor	...	..	...	..	...	.	.	...	.	..	...	.	.	...	..	.	...			...	..	...	...	..	..	...	...	..	...		...
Damoh	..	..	...	..	...	..	.	...	.	..	...	..	.	...	.	..	...	..		...	.		...	..	..	...	..	.	...	.	...
Seoni	...	...	.	..	...	..	.	...	..		...	..	.	...	..	.	...	..	...	...	.	...	...	.	.	...	...	..	...	.	...
Mandla	...		...	...	...		..	..	..	..	...	.	.	...	..	..	..	.	.	...	.		..		..	..	..	.	...	..	..
Hoshangabad	...	..	...	...	...	...	.	..	.	.	...	...	.	...	...	..	...	.	.	...			..	..	...	..	..	.	.	.	...
Betul .. .	..	.	...	...	...	..		...	..		...	...	.	...	.	...	...	.	.	...		..	...	...	..	.	.	.	...	...	...
Narsinghpur	..	...	...	. .	...	..	..	...	.	..	...	..	.	...	..	...	...	.		...	...		...	.	...	...		.	..	.	...
Chhindwara	...	...	...	..		..	...	...	.	...	...	.	..	...	..	..	. .	.	.	...	...		..			...	..	.	...	.	..
Nimar	..	1	1					...	.	.	...	..	.	...	..	. .	...	..	..	...	...	..	15	0	0	15	.	.	...	.	..
Raipur	. .	..		..	.	...	.	...	.	..	...	..	...	...	..	...	. .	..		. .	..	.	...	...	...	...	..	.	...	..	..
Sambalpur	.	...	...	...	...	..	..	..	.	..	...	...	...	...	...	...	...	.		...	...		...	.	..	...	.			.	..
Bilaspur	...	..	...	...	...	..	..	...	..	..	...	...	...	...	...	...	...	...	..	..	...	..	...	.	..	...	..	.	...		...
Total ...	8	34	30	12	57,409	6	0	1,19,869	7	8	51,064	9	0	7,481	0	8	1,69,797	13	0	...	..	.	13,652	12	10	7,496	0	2	6,156	12	8

No 78.

FROM

A. H. L. FRASER, ESQUIRE, C. S.,

OFFG. SECRETARY TO THE CHIEF COMMISSIONER,

Central Provinces.

To

THE REGISTRAR,

JUDICIAL COMMISSIONER'S COURT,

Central Provinces.

Dated Nagpur, the 31st March 1883.

SIR,

I am directed to acknowledge your report, with the prescribed statements, on the administration of Civil Justice during the year 1882, which reached the Chief Commissioner in print on the 16th instant.

2. The number of Civil Courts open at the close of the year was the same as that reported in 1881. The closing of the Court of the Additional Commissioner on the 15th June was followed by the resumption of Civil work in the Court of the Commissioner of Jubbulpore. The withdrawal of the civil powers temporarily given to the Naib Tahsildar of Gadarwarra was balanced by the conferment of civil powers upon the Naib Tahsildar of Dhamtari in the Raipur district.

3. There were 92,648 suits instituted in 1882 against 89,903 in 1881. There was thus an increase of 2,745 suits. It was noted in last year's report that in twelve out of the eighteen districts of the Province there had been an increase in litigation; and that the decrease in the Provincial total of suits was mainly due to the smaller number of plaints filed in the Nagpur district. The explanation then given and which was accepted by the Chief Commissioner was that the prevalence of low prices had placed the city population in a better condition to satisfy their creditors ; and that the trade buyers of grain and other produce had gone ahead with the railway which is being extended towards Raipur. From the figures now presented, it appears that the same phenomenon of a decrease in litigation in the Nagpur district and of an increase in most other districts has recurred ; and the same explanation naturally suggests itself. There was a slight rise in prices during the year, and the result has been that the decrease in the business of the Small Cause Courts (which was so marked in 1881) was not so great as to counteract the general increase in litigation. At the same time the comparative stagnation of trade prevented the agriculturists from reaping much benefit from the rise, and the business of trade-centres like Jubbulpore, Khandwa, Nagpur and Raipur continued dull. In the Seoni district there was an out-break of cholera which acted as a check upon the institution of suits. These considerations appear sufficient to account for the decline or the stationary character of litigation in the places named. With regard, however, to the general increase, it is to be noted that this was specially marked in the Bhandara, Wardha and Mandla districts. You are able to suggest a particular explanation for this feature, so far as Mandla is concerned, in the fact that this district has recently been brought into closer commercial connection with Jubbulpore by the completion of a good road; but as regards the growth of civil business in the Courts of Bhandara and Wardha you fall back upon the general suggestion that "the railway has given a stimulus to both trade and litigation." The Chief Commissioner would remark on this that the railway which runs through the Wardha and Nagpur districts has been open for many years ; and that as they are both in the same situation as regards facilities for trade, it is difficult to understand why the judicial results in each of

these two districts should be so widely different. Moreover, an examination of the figures for the past decade shows that while litigation has been gradually increasing in the adjacent districts of Chanda, Bhandara and (until lately) Nagpur, it now touches about the same level in the Wardha district as it reached in 1874, and is considerably below the figures for 1875 and 1876. So that the excessive litigation of Wardha is a phenomenon which stands quite apart; and the Chief Commissioner is of opinion that it is possibly due in some measure to the circumstances under which the district has been brought to its present state of commercial activity There was originally no business-centre: the town of Wardha was founded by the Government, which made it the head-quarters of the district and encouraged the *mahajuns* of Nagpur to establish agencies there and in the neighbourhood. As a result, a great portion of the trade of Wardha is carried on by agents: and the relations between buyer and seller, lender and borrower are of a more purely business character than in districts where the merchants and bankers are old inhabitants carrying on an ancestral business with clients whose ancestors dealt with the firm. So that there may be a real basis for the explanation which has been repeatedly given by Deputy Commissioners of Wardha that the excessive civil work is partly due to the zealous activity of *mukhtars* who have a pecuniary interest in the realisation of debts due to their principals. It must also be remembered that the cotton grown in the southern portion of the Wardha district has for some years enjoyed a special name in the European market, and is the source of a large number of contracts with the agents of foreign buyers.

4. Passing now to the consideration of the description and value of the suits instituted, it is to be noted that 90 per cent of the litigation was for sums below Rs. 100, as compared with 89 per cent in 1881, and that 50 per cent was for sums below Rs. 50 against 49 per cent in the previous year. Nearly 95 per cent of the suits filed during 1882 were for money or moveables, and a little more than half of them were based upon written contracts. These results correspond pretty closely with the proportions noted in last year's report, but there was a slight increase in the percentage of suits for immoveable property and of suits based upon unwritten contracts. Fluctuations under the latter head are governed in a great measure by the state of trade, as contracts to deliver produce are to a large extent, made orally. With regard to suits for immoveable property, your explanation is probably correct. In the Revenue report for the year ending with September 1882, the Chief Commissioner took occasion to note that the value of land had risen in the neighbourhood of Nagpur and Jubbulpore.

5. The total number of suits disposed of during the year was 92,969; and their distribution among the various grades of Courts (according to their value) was such that Tahsildars and Naib-Tahsildars together disposed of nearly 75 per cent of the total. This is a slight increase upon the percentage of last year. As between these two classes of Courts, the proportion of work done by Tahsildars increased, while that done by Naib-Tahsildars slightly declined.

This decline is partly due to the fact that the Court of the Naib-Tahsildar of Chhindwara was closed for eight months of the year; but there was also a decrease in the amount of work done by Naib-Tahsildars in the Nagpur, Chanda, Nimar, Raipur and Bilaspur districts. This may be due to local fluctuations in the value of suits instituted: but the Commissioners of the Jubbulpore and Nerbudda Divisions have also a special explanation to offer which may be given in the latter's own words:—

> "In all the districts (of the Division) Naib-Tahsildars, though invested with powers to try suits up to Rs. 50 in value are generally allowed to take up suits only up to Rs. 20. Their services as Civil Judges cannot, therefore, be utilised to the fullest extent possible under the law. This arises from the fact that generally to each Tahsili there is only one Naib Tahsildar attached: and as he has numerous executive duties to discharge, his whole time cannot be devoted to the trial of civil suits. If the Naib-Tahsildars took up the civil work to the full extent of their powers, the Tahsildars (who have to try Revenue and Civil cases besides attending to heavy executive work) would be relieved of a large proportion of their civil work, and could thus be more freely employed in their legitimate (Revenue) work."

On this the Chief Commissioner would remark that as the object of investing Naib-Tahsildars with civil powers is to give Tahsildars more time for their

executive duties, it is a mistake to limit the amount of relief which can be thus given by a rule of business superimposed upon the legal jurisdiction of the former. The result is that instead of one of these two classes of officers having a fair amount of time for executive work, each class has only a comparatively small amount: and the effective transaction of business cannot be promoted by such an arrangement.

Most of the reports speak favourably of the work done by Naib-Tahsildars and the subject of the training and promotion of these officers continues to occupy the Chief Commissioner's attention. The Commissioner of the Jubbulpore Division notes that "the position of Naib-Tahsildar is considered a good "one since the views of the administration were made known that selections for "the grade of Tahsildar would be made from their ranks: and there is no lack "of good men seeking employment as Naib-Tahsildars now."

The Commissioner of the Nerbudda Division suggests the nomination of benches of Honorary Judges to try petty suits not exceeding Rs. 10 in value: but the Chief Commissioner prefers at present to follow the course which he has adopted of appointing additional Naib-Tahsildars wherever the work is heavy and there is no fear of multiplying suits by so doing.

6. While on the subject of the work done by the different classes of Courts, it may be well to notice the additional Tables which have this year been introduced into your Report under heading G. These Tables merely confirm what has been more than once remarked when reviewing the Annual Reports from your office: that the increase in litigation has chiefly affected the work to be done in Tahsil Courts. The work done by Assistant and Extra-Assistant Commissioners has, at the same time, shown a tendency to decline: while the business in the Courts of Deputy Commissioners during the past five years has remained, on the whole, nearly stationary.

7. With regard to the manner in which suits were disposed of by the Courts, the returns show that there was a slight decrease in the proportion of suits decreed on confession. Dismissals for default were fewer while decrees *ex parte* were slightly more numerous. Orders for payment of decrees by instalments were not so frequently passed as in 1881. It is remarked that references to arbitration and cases in which suits were decided upon the oath of one of the parties were comparatively numerous in the Nagpur and Saugor districts. The Chief Commissioner trusts that you will satisfy yourself that the officers who resorted most frequently to this means of deciding cases are not in the habit of doing so from a desire to "lessen the pressure of business."

8. It is satisfactory to note that there was an improvement in durations. The average of the Province declined from 39·5 per cent to 36·8 per cent in contested cases: and from 25·1 per cent to 24·5 per cent in uncontested cases. This result is the more creditable as there was an increase in the already considerable total of Miscellaneous cases disposed of by the Courts. The Chief Commissioner thinks that there is little room for further improvement in this direction: as additional celerity in the disposal of cases might be achieved at the expense of carefulness in the enquiry. He agrees with the Judicial Commissioner in thinking that the number of hearings is a better test of judicial efficiency: and it is gratifying to be able to record that the average in this respect (2·9 in contested suits) also exhibits an improvement.

9. The number of appeals to the Courts of the Deputy Commissioner has risen with the increase in litigation in the Tahsil Courts, the figures being 3,628 against 3,224 in 1881. In the Courts of the Commissioners and the Judicial Commissioner the appellate work diminished. The most noticeable increase was in the Court of the Deputy Commissioner of Wardha. It was found necessary in December to afford this officer some relief by temporarily investing one of his assistants with power to hear appeals. The subject of lessening the burden of appellate work which lies upon District officers is at present under the consideration of the Chief Commissioner. It may here be noted that setting aside the Nagpur and Hoshangabad District Courts, which had the aid of specially-empowered assistants, and the Wardha Court which has just been similarly reinforced,

the greatest number of appeals were disposed of by the Deputy Commissioners of Raipur and Narsinghpur. The Deputy Commissioner of Hoshangabad records that, notwithstanding the investment of an assistant with power to hear appeals, the appellate work of his Court was greatly increased through the abolition of the Court of the Additional Commissioner and the reduction of the jurisdiction of the assistants stationed at Harda and Pachmarhi from Rs. 5,000 to Rs. 1,000, whereby appeals from their decisions were transferred to his Court. It was found necessary to revive the appointment of Additional Commissioner; and the question of raising the powers of assistants so as to relieve Deputy Commissioners of the appeals from their decisions is one which deserves further consideration.

10. With regard to the disposal of appeals, there are the same variances in practice, especially on the point of issuing or not issuing notice to the respondent, which were noticed last year: and the Deputy Commissioners of Chanda, Seoni and Hoshangabad are again mentioned as having unduly favoured the summary method of disposing of appeals. It is to be hoped that the explanations which you have called for will show that these officers dealt with each case upon the merits. The proportion of appeals in which the decrees of the Lower Court were upheld varied from 80 per cent in Hoshangabad to 19 per cent in Damoh. The large proportion of reversals in the latter district is a subject for remark.

11. The average duration of appeals in the Courts of the Deputy Commissioners was 33·3 days as compared with 29·4 days in 1880. This increase was partly due to the higher durations in the Wardha and Sambalpur districts, for which special causes are recorded: and to prolonged hearings in the Mandla and Balaghat districts for which no satisfactory explanations are forthcoming. For the increase in durations in the Commissioners' Courts, the circumstances mentioned by you seem to be sufficient.

12. In the Court of the Judicial Commissioner, 482 appeals were disposed of, being an increase of 74 cases: and at the same time durations improved. Miscellaneous work of a revisional kind also increased, the number of cases disposed of being 82.

13. Applications for execution increased by 9,495: but it appears that a large number of these were made in the hope of realising old decrees, and were, to a great extent, infructuous. There was a slight decrease in the number of cases in which judgment debtors were committed to prison: and applications to be declared insolvent were 156 as against 159 in 1881. Several such applications (31) were filed by persons not under arrest, but against whose property warrants of attachment had issued. The majority of the applicants were persons of small means: and the applications were chiefly made in the towns of Nagpur, Wardha, Jubbulpore and Hoshangabad. It seems that resort to the insolvency Court is to a great extent anticipated by the practice common among creditors of taking new engagements from their poorer debtors, however distant the prospect of payment, and of letting them go free: and this custom is not one which it would be an unmixed advantage to supplant by judicial process. It is this also which explains the large number of infructuous applications for execution which the annual returns exhibit.

14. In conclusion, I am to thank you for your full and interesting report, and to request that you will communicate to the Judicial Commissioner an expression of the satisfaction with which the Chief Commissioner recognizes the efficient manner in which the duties of his office have been discharged during the year. The special work referred to in your closing paragraph also meets with his high approval.

I have the honor to be,
Sir,
Your most obedient Servant,

A. H. L. FRASER,
Offg. Secretary.

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VIII.—Process fees.
IX.—Insolvency proceedings.

No. 447.

FROM

THE REGISTRAR,

JUDICIAL COMMISSIONER'S COURT,

Central Provinces.

To

THE SECRETARY TO THE CHIEF COMMISSIONER,

Central Provinces.

Dated Nagpur, the 5th March 1883.

SIR,

I have the honor to submit the Civil Statements for the year 1882, with the following remarks :—

A.—THE TRIBUNALS.

1. The number of Civil Courts in these Provinces, open at the close of 1882, is shown on the following page, and corresponds with the number given in last year's Report.

2. The LocalBar consists of seven Barristers-at-law (three of whom reside at Nagpur, three at Jubbulpore, and one at Raipur), one Attorney-at-law and sixty-six Pleaders.*

At the examination of local candidates for admission as Pleaders, held at Nagpur in October, under Act XVIII. of 1879, three candidates were passed by the Board of Examiners.

3. The rules for the exclusion of uncertificated mukhtars and petition-writers from the precincts of the Courts continued to work well, and, in the opinion of most District officers, have acted as a safeguard against the fomenting of litigation by persons of these classes.

Holidays.

Summer vacation from 15th May to 15th June ...	31
Sundays in 11 months ...	49
Civil Courts holidays ...	44
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4. The Courts were open on 241 days out of the 365. The holidays are detailed in the margin.

B.—EXTENT AND CHARACTER OF LITIGATION.

I. Number of Suits.

5. The two following tables show (*a*) the variations in the number of suits instituted and reinstituted which have occurred in each District of the Central Provinces since the year 1862 ; and (*b*) the same variations in detail for each place where one or more Civil Courts are established ; the figures in this case, however, being limited to the period of five years.

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* Distributed as follows :—

Nagpur ...	14	Jubbulpore ...	10	Seoni ...	1	Khandwa ...	3
Bhandara ...	3	Saugor ...	4	Hoshangabad ...	8	Burhanpur ...	1
Wardha ...	6	Rehli ...	1	Hardà ...	3	Raipur ...	2
Arvi ...	1	Damoh ...	2	Narsinghpur ...	8		

TABLE A.

Showing the number of Suits instituted and re-instituted in each District of the Central Provinces from 1862 to 1882.

Year.	Nagpur. District.	Nagpur. City Small Cause Court.	Nagpur. Cantonment Small Cause Court, Kamptee.	Nagpur. Total.	Chanda.	Bhandara.	Wardha.	Balaghat.	Jubbulpore. District.	Jubbulpore. City Small Cause Court.	Jubbulpore. Cantonment Small Cause Court.	Jubbulpore. Total.	Saugor. District.	Saugor. Cantonment Small Cause Court.	Saugor. Total.	Seoni.	Damoh.	Mandla.	Hoshangabad.	Betul.	Nimar. District.	Nimar. Cantonment Small Cause Court, Asirgarh.	Nimar. Total.	Narsinghpur.	Chhindwara.	Raipur.	Bilaspur.	Sambalpur.	Upper Godavari.	Grand Total.
1862...	3,349	1,622	1,602	6,583	667	1,750	658	...	1,619	315	504	2,438	2,313	601	2,914	806	760	369	2,016	1,058	...	...	...	2,121	705	1,326	163	345	7	24,666
1863...	3,020	1,436	2,338	6,794	687	1,634	592	...	1,385	1,321	686	3,392	2,380	572	2,952	973	729	201	2,202	1,142	...	...	...	2,691	1,038	820	222	201	35	26,306
1864...	2,647	1,622	1,706	6,045	716	1,692	490	...	1,230	1,683	612	3,525	2,109	1,161	3,270	1,280	859	354	3,183	1,288	4,398	...	4,398	2,542	870	1,221	707	275	42	32,697
1865...	2,974	1,288	806	5,068	649	2,076	927	...	1,734	1,739	455	3,928	2,741	709	3,450	1,343	1,377	563	5,887	1,156	3,354	...	3,854	3,558	1,303	1,573	1,781	695	66	39,254
1866...	3,386	2,320	1,917	6,623	1,021	2,420	1,216	...	1,405	1,636	481	3,522	2,988	720	3,708	1,185	1,289	421	5,279	1,194	7,561	...	7,561	3,416	1,345	1,379	2,896	594	163	45,250
1867...	3,390	3,289	1,323	8,002	1,219	2,934	1,893	303	1,685	1,662	296	3,643	2,724	389	3,113	1,263	1,709	380	5,427	1,979	5,541	27	5,568	3,272	1,990	1,406	3,762	592	89	48,544
1868...	4,566	4,060	2,083	10,709	1,636	2,798	3,057	810	1,699	2,052	541	4,292	3,612	559	4,171	1,394	1,631	401	5,494	2,732	6,508	244	6,752	4,125	2,770	1,659	3,466	538	125	58,558
1869...	4,529	4,415	3,454	13,398	2,006	2,814	3,724	925	1,441	1,984	514	3,939	4,052	835	4,887	1,387	1,760	528	5,068	2,354	7,854	293	8,147	4,535	3,340	1,982	1,298	886	159	63,137
1870...	5,648	4,880	3,407	13,935	2,587	3,596	4,277	737	1,725	2,435	445	4,605	4,003	692	4,695	2,185	1,693	656	6,750	2,702	7,689	165	7,854	5,657	4,027	3,123	1,866	959	289	72,183
1871...	6,761	5,300	2,594	14,661	2,937	3,597	6,169	1,236	2,278	2,493	463	5,240	3,132	699	3,831	2,619	1,783	569	6,695	3,207	8,551	118	8,669	6,385	3,616	3,194	2,381	1,112	286	78,088
1872...	6,060	5,081	2,779	13,900	2,072	3,122	5,485	989	2,313	2,400	511	5,224	2,652	672	3,324	1,904	1,343	679	7,219	3,249	9,572	174	9,746	5,593	3,537	2,641	2,561	1,087	277	73,955
1873...	6,315	5,700	2,428	14,452	2,161	2,668	6,051	1,191	1,985	2,254	437	4,676	2,979	432	3,411	1,692	2,060	661	7,918	3,278	7,808	147	7,955	6,369	3,633	2,657	2,084	1,427	252	74,594
1874...	6,904	6,104	2,837	15,845	2,039	2,707	6,839	1,319	2,106	2,493	445	5,044	3,328	302	3,630	1,450	1,744	690	7,522	2,983	7,480	90	7,570	6,265	3,729	3,662	2,085	1,337	179	76,639
1875...	7,310	5,993	2,885	16,188	2,235	2,812	7,061	1,508	2,012	2,278	421	4,711	3,381	281	3,662	1,863	1,541	630	7,927	3,225	8,202	62	8,270	5,756	4,464	3,358	2,043	1,354	169	78,777
1876 ..	9,152	7,465	2,830	19,447	3,175	3,190	7,159	1,581	2,205	2,037	430	4,672	3,719	399	4,018	1,666	1,477	624	8,331	3,396	8,454	84	8,538	4,967	4,391	4,838	2,885	1,812	108	86,265
1877...	10,344	7,401	3,189	20,834	3,085	3,681	6,400	1,795	2,015	2,219	456	5,290	4,190	300	4,490	1,841	1,940	772	8,344	3,216	7,469	97	7,566	5,146	3,969	5,326	2,868	1,784	137	88,484
1878...	9,105	8,301	3,493	20,893	2,754	3,074	4,549	2,300	2,427	2,508	454	5,389	3,810	297	4,107	1,815	1,500	557	7,175	2,516	6,436	57	6,493	4,351	3,200	4,790	2,576	1,738	...	79,783
1879...	10,411	7,844	2,939	21,194	3,175	3,668	5,641	1,339	2,690	2,801	553	6,044	3,284	190	3,474	2,345	1,640	847	8,372	3,268	7,674	69	7,743	4,604	3,429	5,774	2,481	2,833	...	87,862
1880...	10,900	8,402	2,511	21,813	3,768	4,541	6,591	1,446	2,790	2,664	399	5,853	3,241	223	3,464	2,364	1,751	646	7,082	3,069	7,736	66	7,802	4,568	3,844	6,332	3,552	2,893	...	91,379
1881...	9,881	7,668	1,990	19,539	4,002	4,817	6,849	1,798	3,039	2,696	262	5,997	3,110	155	3,265	2,019	1,940	650	7,213	2,556	7,479	34	7,513	4,722	3,646	6,426	4,005	2,946	...	89,903
1882...	9,731	6,758	1,931	18,420	4,689	6,029	8,317	1,923	3,024	2,760	341	6,125	3,211	167	3,378	1,626	1,894	803	7,449	2,949	6,870	39	6,909	5,308	3,623	6,018	3,780	3,408	...	92,643
Grades and number of Courts at the close of 1882.																														
Court of the Judicial Commissioner.	1	...	...	...	...	..			...				...			...	...	...	...	...	...			...	...	...	...	...	...	1
Courts of the Commissioner.	1	...	...	...	...	...			...				...			...	...	...	1	...	...			...	...	1	...	...	...	3
Court of the Additional Commissioner.	...	...	...	...	...	1*			...				...			...	...	...	...	...	...			...	...	...	...	...	...	1
Courts of the Deputy Commissioner.	1	1	1	1	1	1			1				1			1	1	1	1	1	1			1	1	1	1	1	...	18
Courts of the Assistant Commissioner ...	2	3	2	2	1	3			2				2			1	1	1	4	1	3			2	1	3	2	2	...	36
Courts of Tahsildar.	5	4	2	3	2	3			4				4			2	2	2	4	2	2			3	2	4	3	2	...	51
Courts of the Naib Tahsildar ...	4	2	2	3	1	2			3				3			2	1	...	4	2	3			1	2	4	1	2	...	33
Small Cause Courts and Registrar's Courts.	4	...	...	...	...	2			1				1			...	...	...	...	...	1			...	...	...	...	...	...	8
Total ...	18	10	7	9	5	12			11				11			6	5	4	14	6	9			7	6	13	7	7	...	156

* After the 15th June, this Court was closed; and its work was distributed between the Courts of the Commissioners of the Jubbulpore and Nerbudda Divisions.

TABLE B.

Showing the number of suits instituted and reinstituted in each Head-quarters Station and in each Tahsil of the Central Provinces from 1878 to 1882.

Locality of Courts.		Number of suits instituted and re-instituted.				
		1878.	1879.	1880.	1881.	1882.
Nagpur ...	Nagpur ...	1,919	1,986	2,237	2,049	2,246
	Court of Small Causes, Nagpur.	8,301	7,844	8,402	7,668	6,758
	Total ...	10,220	9,830	10,639	9,717	9,004
	Kamptee ...	3,493	2,939	2,511	1,990	1,931
	Katol ...	1,849	1,960	1,882	1,661	1,487
	Ramtek ...	2,143	1,793	2,150	2,269	2,026
	Saoner ...	1,858	3,055	2,753	2,025	1,794
	Umrer ...	1,836	1,617	1,878	1,877	2,178
Chanda ...	Chanda ...	748	646	866	545	951
	Warora ...	670	910	1,292	1,460	1,833
	Mul ...	466	674	681	1,122	689
	Brahmapuri ...	702	839	867	754	1,106
	Sironcha Sub-division ...	168	106	125	121	110
Bhandara ...	Bhandara ...	1,374	2,097	2,758	2,270	2,439
	Tirora ...	1,237	996	1,178	1,730	2,353
	Sakoli ...	463	575	605	817	1,237
Wardha ...	Wardha ...	1,960	2,580	3,188	3,309	3,679
	Arvi ...	1,451	1,396	1,712	1,876	2,581
	Hinganghat ...	1,138	1,565	1,691	1,664	2,057
Balaghat ...	Burha ...	2,131	1,214	1,3 18	1,638	1,824
	Behir ...	169	125	128	160	99
Jubbulpore	Jubbulpore ...	874	736	1,093	1,151	1,090
	Court of Small Causes, Jubbulpore	2,508	2,801	2, 664	2,696	2,760
	Do. do. Cantonment	454	553	399	262	341
	Total ...	3,836	4,090	4,156	4,109	4,191
	Murwara ...	467	507	475	489	561
	Sihora ...	1,086	1,447	1,222	1,399	1,373

Locality of Courts.		Number of suits instituted and re-instituted.				
		1878.	1879.	1880.	1881.	1882.
Saugor ...	Saugor ...	1,846	1,614	1,313	1,239	1,458
	Court of Small Causes, Saugor .	297	190	223	155	167
	Kurai ...	752	725	947	718	760
	Rehli ...	903	643	714	881	718
	Banda ...	309	302	267	272	275
Damoh ...	Damoh ...	1,103	1,291	1,255	1,550	1,548
	Hatta ...	397	346	496	390	346
Seoni ...	Seoni ...	1,257	1,565	1,580	1,548	1,151
	Laknadon ...	558	780	784	471	475
Mandla ...	Mandla ...	465	705	646	589	709
	Ramgarh ...	92	142	151	·61	94
Hoshangabad.	Hoshangabad ...	2,067	2,400	2,276	2,282	2,210
	Seoni ...	849	1,676	691	801	881
	Harda ...	2,627	3,289	2,682	2,503	3,118
	Sohagpur ...	1,314	1,424	1,304	1,425	1,175
	Pachmarhi Sub-division ...	318	183	129	202	65
Betul ...	Betul ...	1,769	2,112	1,976	1,647	1,909
	Multai ...	747	1,156	1,093	909	1,040
Narsinghpur	Narsinghpur ...	2,243	2,294	2,006	2,139	2,338
	Chawarpatha ...	...	...	...	...	...
	Gadarwara ..	2,108	2,310	2,562	2,583	2,970
Nimar ...	Khandwa ...	2,817	4,779	5,038	5,419	4,856
	Burhanpur ...	3,276	2,469	2,698	2,060	2,017
	Mortakka ...	343	426	...	...	...
	Court of Small Causes, Asirgarh.	57	69	66	34	39
Chhindwara...	Chhindwara ...	1,753	1,958	2,440	2,414	2,448
	Sausar ...	1,447	1,462	1,404	1,212	1,175
Raipur ...	Raipur ...	2,687	3,292	3,025	2,956	2,380
	Drug ...	854	980	1,460	1,622	1,406
	Dhamtari ...	648	546	716	568	1,243
	Simga ...	601	956	1,131	1,280	989
Sambalpur ...	Sambalpur ...	1,058	11,942	1,722	1,724	2,011
	Bargarh ...	680	1,691	1,171	1,222	1,397
Bilaspur ...	Bilaspur ...	835	1,027	1,214	1,555	1,385
	Mungeli ...	666	1,002	1,788	1,571	1,345
	Seorinarain ..	1,075	452	550	879	1,050
	Total ...	79,783	87,862	91,379	89,903	92,648

6. The above Tables show that there has been an increase of 2,745, or 3 per cent, in the number of suits instituted last year, as compared with the previous year. This was to be expected after the decrease which occurred in the previous year, and is the natural outcome of the continued prosperity of the Provinces, of improvement in communications, and of the consequent impetus which has been given to trade operations. On referring to the district and divisional reports for the past year, the Officiating Judicial Commissioner sees no reason to believe that in any district of these Provinces is the increase in litigation due to any increase in individual indebtedness on the part of the masses.

7. The litigation in each division during the past two years, is shown below:—

Division.	Number of cases instituted.		Percentage of	
	1881.	1882.	Increase.	Decrease.
Nagpur	37,005	39,378	6 4	...
Jubbulpore	13,871	13,826	...	0·3
Nerbudda	25,650	26,238	2 3	...
Chhattisgarh	13,377	13,206	...	1·2
Total ...	89,903	92,648	3·0	...

This statement shows that last year's increase in the number of suits instituted is due solely to the Nagpur and Nerbudda Divisions, and mainly to the division of Nagpur. In the other two divisions litigation has been stationary. The increase of suits in the Nagpur Division is the more remarkable, as there has been a decrease of 1,119 suits in the district of Nagpur.

8. The following statement shows the districts in which the most important fluctuations have occurred in the litigation of the past two years:—

Division.	District.	Number of cases instituted.		Percentage of	
		1881.	1882.	Increase.	Decrease.
Nagpur ...	Nagpur ...	19,539	18,420	...	5·7
	Chanda ...	4,002	4,689	17·1	...
	Bhandara ..	4,817	6,029	25·1	...
	Wardha ...	6,849	8,317	21·4	...
	Balaghat ...	1,798	1,923	7·0	...
Jubbulpore ...	Seoni ...	2,019	1,626	...	19·4
	Mandla ...	650	803	23·5	...
Nerbudda ...	Betul ...	2,556	2,949	15·3	...
	Narsinghpur ...	4,722	5,308	12·4	...
	Nimar ...	7,513	6,909	...	8·0
Chhattisgarh ...	Sambalpur ...	2,946	3,408	15·7	...

The decrease in the Nagpur District is almost entirely due to the City Small Cause Court. In 1880 there were 8,402 institutions in this Court; in 1881 the number fell to 7,668; and in the past year they fell again to 6,758. The Judge of the Court has submitted an explanation of this decrease which is hardly admissible, and the Commissioner's view (which is also that of the Officiating Judicial Commissioner) is that the true explanation is that which was given in paragraph 8 of last year's report. In the year under review the harvests were

again good and the prices of produce low. The poorer classes, and more especially that portion of them which is not agricultural and is employed in petty trading or in daily labour are primarily benefited by low prices, which therefore considerably affect the business which Small Cause Courts have to dispose of in towns containing a large urban population. It may be noticed that the decrease in institutions in this Court has occurred almost entirely in suits the value of which is less than Rs. 50.

It will be observed that in the Jubbulpore Small Cause Court there has not been the same falling off in the number of suits instituted. The business of this Court has been practically stationary for the past four years; but it may well be that in this town there have been other causes at work, as, for instance, an increase in trade, which, but for the counteracting influences above referred to, would have produced a considerable increase in the business of the Jubbulpore Small Cause Court. In the Kamptee Small Cause Court there has been a slight but immaterial decrease in the number of suits instituted. The same remark applies to the Nagpur District Courts, excluding the Small Cause Courts at Nagpur and Kamptee.

The increase of litigation in the districts of Chanda, Bhandara and Wardha is somewhat remarkable, especially when it is borne in mind that this increase has been going on steadily for the past four years. In Balaghat also there has been a steady though not so marked an increase during the same period. The District Officers of these districts have submitted various explanations of this state of things. The Deputy Commissioner of Wardha attributes the increase in his district to "the petty-fogging agency of Mukhtars." The Deputy Commissioner of Bhandara thinks that money lenders are anticipating a fall in prices which will embarrass the borrowing classes, and that they are therefore pressing forward to realize their dues. The Deputy Commissioner of Chanda thinks money lenders are more inclined now than formerly to make use of our Courts for the collection of their debts. The Deputy Commissioner of Balaghat gives no explanation at all. The Officiating Judicial Commissioner reviewing these explanations does not think they can be accepted and adopts the explanation given in paragraph 9 of last year's report. There can be no doubt, Mr. Ward thinks, that the railway is an important agent in promoting both production and trade; and increase in litigation is the necessary concomitant of an increase in trade.

In the Jubbulpore Division the only two districts that have shown any marked increase or decrease in litigation are Seoni and Mandla. The large decrease in Seoni is reported to have been due partly to the temporary closing of certain Tahsildars' or Naib-Tahsildars' Courts on the occasion of transfer of officers at the close of the year, but mainly to an out-break of cholera in the district. The large increase of suits in Mandla has not been explained by the Deputy Commissioner; there was a similar increase in the previous year. The Commissioner attributes this principally to Mandla being now connected by a good road with Jubbulpore and to the consequent increase of trade in the district.

In the Nerbudda Division the districts of Betul and Narsinghpur show more than an ordinary increase in the number of suits instituted. Nimar, on the other hand, shows a decrease. No satisfactory explanation of these fluctuations has been given by the district officers and the Officiating Judicial Commissioner is also unable to explain.

The large increase of suits in the Sambalpur district of the Chhattisgarh Divison is attributed by the District Officer solely to the establishment of a Naib-Tahsildar's Court at the Sadr Station which has given increased facilities to the people for bringing petty suits. The districts of Raipur and Bilaspur show a decrease, but not a very material decrease, in institutions which appears to have been partly due to the closing of some of the Courts for portions of the year in consequence of certain officers being deputed on special duty to the interior, and partly to an out-break of cholera in the Mungeli Tahsil.

II.—Value and Description of Suits.

9. In 1882 a larger percentage than ever of the suits brought were for sums not exceeding Rs. 50; and 90 per cent of the litigation was for sums below Rs. 100, as compared with 89 per cent in 1881. Tables C. and

D. exhibit the grades of value in detail: and in Tables E. to H. the descriptions of suits brought are compared. From these it will be seen that 94·4 per cent. of the suits filed during the year were for money or moveables: and that 50·2 per cent. of the suits were based upon written contracts. These figures are very nearly the same as the corresponding totals for last year: but the percentage of suits on oral contract is 1·8 per cent in excess of the figures for 1881. It is noticeable that there is no increase in the percentage of such suits in the Chanda, Bhandara and Wardha districts; but with these exceptions the increase is nearly universal. On the other hand there was a decline in the percentage of suits on written contracts in Nagpur, Jubbulpore, Nimar and several other districts. The general conclusion indicated is that more claims were made in 1882 than in 1881 against petty debtors resident elsewhere than in the large towns and whose contracts (except in the three districts named above) were, for the most part, oral.

With regard to the increase of 500 in the number of suits for immoveable property, it is to be noted that more than half of the additional suits were instituted in the Nagpur and Jubbulpore districts. The remaining moiety is distributed over the majority of the other districts, the figures being higher where the district head-quarters are centres of trade. The inference which may be fairly drawn is that the rise in institutions under this head is, to some extent, due to the increasing value of land in and about those centres.

TABLE C.

Relative value of Suits instituted.

Grades of value.		Number of Suits instituted.	Percentage of total Suits.	Average value.
Not exceeding Rupees	10	25,273	27·	5
" "	50	45,864	50·	25
" "	100	11,749	13·	70
" "	500	8,474	9·	176
" "	1,000	740	...	689
" "	5,000	484	1·	1,888
" "	10,000	42	...	7,626
Exceeding Rupees	10,000	22	...	27,360
	Total ...	92,648	100·	...

TABLE D.

Showing the percentages of Table C. in detail according to districts.

Districts.	Not exceeding Rs. 10.	Not exceeding Rs. 50.	Not exceeding Rs. 100.	Not exceeding Rs. 500.	Exceeding Rs. 500.
Nagpur	29·	50·	12·	8·	1·
Chanda	24·	58·	11·	6·	1·
Bhandara	23·	57·	12·	7·	1·
Wardha	23·	50·	15·	11·	1·
Balaghat	30·	49·	12·	8·	1·
Jubbulpore	28·	46·	13·	11·	2·
Saugor	21·	52·	12·	13·	2·
Damoh	26·	52·	13·	8·	1·
Seoni	27·	46·	15·	10·	2·
Mandla	41·	45·	8·	5·	1·
Hoshangabad	20·	46·	15·	16·	3·
Betul	28·	49·	13·	9·	1·
Narsinghpur	17·	52·	17·	12·	2·
Chhindwara	22·	54·	16·	7·	1·
Nimar	27·	51·	13·	8·	1·
Raipur	36·	45·	11·	7·	1·
Sambalpur	47·	36·	10·	6·	1·
Bilaspur	45·	43·	6·	5·	1·

TABLE E.

Description and proportion of Suits generally.

Description of Suits.	Number of Suits.	Percentage of total Suits.
I.—Suits for money or moveable property ...	87,432	94·4
II.—Title and other suits ...	5,216	5·6
Total ...	92,648	100·

TABLE F.

Distribution of Suits in Class I. of Table E. under sub-heads of Contract.

	Number of Suits.	Percentage of total Suits.
Contract in writing	46,486	50·2
Contract not in writing	16,449	17·8
On account stated	2,618	2·8
Money had and received	762	·8
Goods sold	8,210	8·9
Wages, work and material	1,372	1·5
Breach of contract not mentioned above ...	3,754	4·1
Rent not falling under the Rent Law ...	970	1·0
Moveable property or value thereof ...	4,259	4·6
Damages	2,552	2·7
Total ...	87,432	94·4

TABLE G.

Classified detail of all Suits in Table E.

Districts.	Total suits instituted.	For money due.						Moveable property or value thereof.		Damages.		Immoveable property	
		Contract in writing.		Contract not in writing.		Goods sold.							
		Number.	Percentage of suits instituted.	Number.	Percentage of suits instituted.	Number.	Percentage of suits instituted.	Number.	Percentage of suits instituted.	Number.	Percentage of suits instituted.	Number.	Percentage of suits instituted.
Nagpur ...	18,420	10,961	60·	2,299	12·	2,215	12·	487	3·	394	2·	604	3·
Chanda ...	4,689	3,088	66·	342	7·	327	7·	191	4·	74	2·	65	1·
Bhandara ...	6,029	4,152	69·	811	13·	227	4·	102	2·	151	3·	155	3·
Wardha ...	8,317	4,360	52·	1,254	15·	767	9·	582	7·	114	1·	303	4·
Balaghat ...	1,923	905	47·	461	24·	75	4·	167	9·	79	4·	52	3·
Jubbulpore ...	6,125	2,499	41·	1,141	19·	687	11·	137	2·	233	4·	559	9·
Saugor ..	3,378	1,744	52·	585	17·	198	6·	179	5·	69	2·	225	7·
Damoh ...	1,894	996	53·	443	23·	84	4·	101	5·	41	2·	132	7·
Seoni ...	1,626	683	42·	396	24·	111	7·	85	5·	68	4·	49	3·
Mandla ..	803	151	19·	286	36·	122	15·	67	8·	61	8·	10	1·
Hoshangabad ...	7,449	3,662	49·	1,296	17·	410	5·	329	4·	124	2·	421	6·
Betul ...	2,919	1,270	43·	596	20·	220	7·	306	10·	107	4·	100	3·
Narsinghpur ...	5,308	2,503	47·	743	14·	9	...	534	10·	63	1·	362	7·
Chhindwara ...	3,623	2,159	60·	647	18·	159	4·	145	4·	100	3·	127	3·
Nimar ...	6,909	3,681	53·	1,001	14·	926	13·	144	2·	122	2·	157	2·
Raipur ..	6,018	1,866	31·	1,822	30·	764	13·	277	5·	290	5·	270	5·
Sambalpur ...	3,408	981	29·	928	27·	474	14·	178	5·	288	8·	252	7·
Bilaspur ...	3,780	825	22·	1,398	37·	435	12·	248	7·	174	5·	161	4·
Total ..	92,648	46,486	50·	16,449	18·	8,210	9·	4,259	5·	2,552	3·	4,004	4·

TABLE H.

Relative value of the principal descriptions of Suits.

Description of Suits.	Number.	Percentage of					
		Suits not exceeding.				Suits above.	Total.
		Rupees 10.	Rupees 50.	Rupees 100.	Rupees 500.	Rupees 500.	
Contract in writing ...	46,486	12.	59·	17·	11·	1·	100·
Contract not in writing ...	16,449	47·	42·	6·	4·	1·	100·
Goods sold ...	8,210	64·	30	4·	2·	...	100·
Moveable property or value thereof ..	4,259	36·	47·	10·	6·	1·	100·
Damages ...	2,552	33	46·	11·	8·	2·	100·
Immoveable property ..	4,004	21·	34·	16·	22·	7·	100·

C.—General Distribution and Result of Trial of Civil Suits by Courts of Original Jurisdiction.

I.—Distribution.

10. From what has been already said as to the character of the litigation during the year, the figures in Tables J. and K, showing the distribution of suits among the various classes of Courts do not stand in need of much explanation. The number and percentage of suits filed in the Courts of Small Causes decreased, and the number and percentage of suits in the Courts of Tahsildars and Naib Tahsildars, taken together, increased. It is true that a larger percentage of suits was tried by Tahsildars than in 1881; but this does not indicate any noteworthy rise in the value of suits, because in many districts the jurisdiction of Naib Tahsildars is limited for executive purposes to suits of Rs. 20 in value: and in the Chhindwara district the Court of the Naib Tahsildar was closed for 8 months in the year.

11. With regard to the amount of civil work performed by Tahsildars, the Officiating Commissioner of the Nerbudda Division is in favour of the appointment of additional Naib Tahsildars wherever the work is heavy: and suggests that it would be a great convenience to the public if Honorary Judges, sitting as a Bench, were appointed to try petty suits not exceeding Rs. 10 in value. The Officiating Judicial Commissioner is not prepared to recommend this latter proposal.

TABLE J.

Distribution of suits disposed of among different classes of Courts.

Total number of Judges.		8	38	51	36	18	151
Districts.		Small Cause Courts.	Naib Tahsildars.	Tahsildars.	Assistant Commissioners.	Deputy Commissioners.	Total.
Nagpur		9,012	5,176	3,380	1,297	...	18,865
Chanda		...	1,912	1,827	951	13	4,703
Bhandara		...	3,058	1,657	1,258	22	5,995
Wardha		...	5,457	2,181	555	1	8,194
Balaghat		...	1,411	282	232	2	1,927
Jubbulpore		3,062	1,423	1,116	455	11	6,067
Saugor		161	1,955	782	478	5	3,381
Damoh		...	719	885	285	7	1,896
Seoni		...	740	740	184	28	1,692
Mandla		...	...	646	157	4	807
Hoshangabad ...		...	4,331	2,092	938	9	7,370
Betul		...	1,628	978	327	14	2,947
Narsinghpur ...		...	1,211	3,584	549	29	5,373
Chhindwara		...	1,325	1,861	376	35	3,597
Nimar		41	3,768	2,158	869	14	6,850
Raipur		...	3,597	1,821	663	3	6,084
Sambalpur		...	2,653	209	557	10	3,429
Bilaspur		...	1,203	1,868	719	2	3,792
Total	1882	12,276	41,567	28,067	10,850	209	92,96[illegible]
	1881	12,520	40,234	24,883	10,921	210	88,768
Percentage...	1882	13·2	44·7	30·2	11·7	·2	100·
	1881	14·1	45·4	28·0	12·3	·2	100·
	1880	15·9	40·3	30·3	13·3	·2	100·
	1879	16·2	37·0	34·0	12·6	·2	100·
	1878	19·1	31·6	33·3	15·8	.2	100·

TABLE K.

Institution of suits in the various Courts according to value.

Judges.		Registrars of Courts of Small Causes	Judges of Courts of Small Causes	Naib Tansildars	Tahsildars.	Assistant and Extra Assistant Commissioners	Deputy Commissioners	Total.	Remarks.
Number of Judges.		2	6	38	51	36	18	151	
Grades of value of suits.	Total number of suits instituted.	Percentage of suits instituted in the Courts of each class of Judge							
Not exceeding Rs. 10	25,273	14 9	61 7	18·6	4 8	.		100	
" " 50	45,864	12 8	56 1	25 5	5 6	..		100	
" " 100	11,749	11 3	..	71·0	17 6	0 1		100·	
" " 500	8,471	11 4	..	42 2	46 1	0 3		100	
" " 1,000	740	10 4		..	88 7	0 9		100	
" " 5,000	484	...	.	..	75 8	24·2		100	
" " 10,000	42	...	.	...	33 3	66 7		100	
Exceeding " 10,000	22	...	...	..	45 5	54 5		100	
All Grades .	92,648	12 9	44 6	30 6	11 7	·2		100·	

II.—Results of Trial.

12. The general results of the trial of suits disposed of are shown in Table L.

TABLE L.

Results of trial of suits disposed of.

Results.	Number of suits	Proportion per cent.	Corresponding proportion in 1881.
Plaints rejected or returned	574	·6	·6
Transferred to other District or Small Cause Court jurisdiction	1	...	...
(a.)—Disposed of without Contest.			
Dismissed for default	16,707	17·9	18·5
Withdrawn with leave...	1,240	1 3	1 3
Compromised	11,479	12 3	12·5
Decreed on confession	21,895	23 6	24 5
Decreed *exparte*	15,113	16 3	15·5
Dismissed *exparte*	797	·9	·8
Total Uncontested ...	67,231	72 3	73·1
(b.)—Contested and judgment given for.			
Plaintiff in whole	10,325	11·1	10 9
Ditto in part	8,063	8 7	8 7
Defendant in whole	6,775	7 3	6·7
Total Contested ...	25,163	27·1	26 3

13. There was a slight decrease in the proportion of suits decreed on confession and in the proportion of dismissals for default, while decrees *ex parte* show a somewhat higher percentage. The decrease in the number of dismissals for default may be in part due to the orders of this Court requiring the time of dismissal to be noted, a practice which tends to prevent hasty procedure on the part of Judges who do not always sit at regular hours.

14. The following remarks have reference to a few of the incidental results of trial which are exhibited in Prescribed Statement No. 9 and Additional Statement III. (cols. 38 to 45) appended to this Report.

Commissions.

15. The number of cases in which commissions issued for local investigation increased from 618 to 709. On the other hand commissions to investigate or adjust accounts decreased from 387 to 378. The bulk of the increase under the former head occurred in the Nimar and the Bilaspur districts. The Deputy Commissioner of Nimar attributes it to the fact that there were more suits for immoveable property; the Deputy Commissioner of Bilaspur has no explanation to offer.

Arbitration.

16. References to arbitration were in number 278 as against 230 in 1881 and 298 in 1880. The references were most numerous in the Nagpur and Saugor districts. Of the references made in the Nagpur district, 39 issued from the Nagpur Court of Small Causes, and 14 from the Court of the Tahsildar Umrer.

Special oaths.

17. In like manner the greater portion of the total increase in the number of suits decided on special oath (922 as compared with 610 in 1881) occurred in the Nagpur and Saugor districts. In the Small Cause Courts of the former district 130 cases were so decided, and 59 cases in the Court of the Naib Tahsildar of Umrer. The returns furnished by the Courts of both the Tahsildar and the Naib Tahsildar of Umrer are quoted as examples by the Deputy Commissioner of Nagpur of the way in which the provisions of the law with respect to commissions, arbitration and special oaths may be abused by judges who desire "to shirk the trouble of patient enquiry": and it cannot be doubted that these three means of extra-judicial enquiry are sometimes resorted to with the object of lessening the pressure of business. It has been found that the instructions (see para. 29 of last year's report) requiring judges to enter in a note-book their reasons for issuing commissions have ensured a certain amount of control over the passing of such orders: and it may be advisable to extend the rule to the appointment of arbitrators and the administering of special oaths.

Instalments.

18. A matter which is more subject to the caprice of individual judges is the award of payment of a decree by instalments. Owing perhaps to a closer observance of the instructions contained in Civil Procedure Circular No. 7, the total of such decrees diminished from 4,933 in 1881 to 4,348 in 1882. But the district variations were many and great. It was noted last year that an officer who is new to his work is apt to pass an excessive number of such decrees: and the Commissioner of Jubbulpore applies this explanation to the large total of which the Naib Tahsildar of Laknadown in the Seoni district was the author. The instalment awards of another officer of the same grade—the Naib Tahsildar of Hinganghat—covered 41 per cent of the cases decided by him. Experience as well as judgment is required for the proper decision of such questions and it does not seem possible to issue any new instructions of a general character.

Durations.

19. In twelve out of the eighteen districts there was a marked improvement in the durations both in contested and uncontested cases. The average for the Province declined from 39 5 per cent to 36·8 per cent in contested cases and from 25·1 per cent to 24·5 per cent in uncontested cases. The increase in the durations in the Chanda district

are still attributed to difficulties connected with the service of processes in the adjoining territories. The increase in the Bhandara district is partly due to the dilatory manner in which Mr. Gur Pershad, Extra Assistant Commissioner, conducted his cases: and since that officer's civil work has been transferred to another Court, there has been a change for the better. In some other Courts the durations were lengthened by careless procedure; but on the whole the Officiating Judicial Commissioner is well satisfied with the general improvement in the disposal of business, especially as evidenced by the smaller number of hearings in each case.

D.—Miscellaneous Cases.

20. The number of miscellaneous cases increased from 6,670 to 6,907. The bulk of the increase occurred in the Wardha district. In Bhandara, Nagpur and Hoshangabad the additional work was also considerable. The change in the procedure in foreclosure cases introduced by the coming into force of the Transfer of Property Act should diminish to some extent the miscellaneous work of Deputy Commissioners, but in litigious districts there will always be a large number of cases arising out of the attachment of property in execution of decrees. The average duration of such miscellaneous cases as were contested was 26·7 days; and in taking account of the work performed by the Courts the time occupied by this portion of their duties must always be kept in view.

21. In like manner, although the returns do not show it, there is a considerable amount of miscellaneous work which must be considered when forming an estimate of the business performed in the Court of the Judicial Commissioner. In addition to what are strictly "miscellaneous cases," *viz.* applications for review, for the restoration of an appeal to the file, for the transfer of a suit pending in a subordinate Court, for arrest of execution and the like, there are a number of cases arising out of the revisional jurisdiction given by Section 622 of the Code of Civil Procedure. In 1882, there were 102 such cases before the Judicial Commissioner's Court, 82 of which were disposed of by the end of the year.

E.—Appellate Business.

22. The number of first appeals instituted during the year is shown in Table M.

The total of such appeals has increased, the increase lying wholly in the Courts of Deputy Commissioners. In the Courts of Commissioners there was a decrease, as in 1881. The rise in institutions in the Deputy Commissioners' Courts occurred in eleven out of the eighteen districts: and must be attributed partly to the general increase in suits and partly to the additional number of suits for immoveable property referred to in paragraph 9. In the Court of the Deputy Commissioner of Wardha the increase amounted to nearly 100 suits: and the total number of appeals which came before this officer for disposal was only 10 less than the institutions before the Deputy Commissioner of Nagpur and before his Assistant with powers of a Deputy Commissioner, taken together.

Since the 5th December last, relief has been afforded by the appointment to the Wardha district of an Assistant with powers of a Court of the 6th grade.

23. The decrease of appeals in the Courts of the Commissioner is probably due to the facts set out in paragraph 27, below, as explaining the increase of durations in those Courts.

24. Table N. shows how appeals were disposed of (otherwise than by transfer) in the different Appellate Courts. The points deserving of notice in this statement are the following:—

In 72 per cent of the appeals preferred to the Judicial Commissioner, the appeal was either dismissed in default or the decree of the Lower Appellate Court was confirmed, and in 28 per cent of the appeals the decree of the Lower Court was either modified or reversed or the case remanded for retrial. This result is creditable to the Lower Appellate Courts. The corresponding percentages in the previous year were 64 and 36 respectively. The proportion of appeals to the Judicial Commissioner's Court in which the decree of the Lower Appellate Court was confirmed without notice to the respondent was 50 per cent against 51 per cent in 1881.

25. The result of appeals to Courts of Commissioners is shown below :—

Appellate Court.	Confirmed or dismissed in default.		Modified, reversed or remanded.	
	1881	1882	1881	1882
Commissioner of Nagpur	62 per cent.	63 per cent.	38 per cent.	37 per cent.
Do. Nerbudda	50 „	63 „	50 „	37 „
Do. Chhattisgarh	54 „	47 „	46 „	53 „
Do. Jubbulpore	...	51 „	..	49 „
Additional Commissioner, Nerbudda and Jubbulpore Divisions	53 „	...	49 „	...
Total ...	55 per cent	56 per cent	45 per cent.	44 per cent.

The proportion of appeals in which the Commissioner confirmed the decree of the Lower Court without notice to the respondent was 2 per cent only against the same proportion in the previous year. The Commissioners of Nerbudda and Chhattisgarh disposed of no appeals last year under Section 551, Code of Criminal Procedure. On the other hand, the proportion of appeals so disposed of by the Commissioner of Nagpur was 7 per cent, which the Officiating Judicial Commissioner thinks is unduly large.

26. This proportion, however, is small, compared with what some of the Appellate Courts of Deputy Commissioners show. The result of appeals to these Courts in the past two years, and the proportion of decrees confirmed by them without notice to the respondent is shown in the following statement :—

Appellate Court.	Confirmed or dismissed *ex parte*.		Modified, reversed or remanded.		Percentage of decrees confirmed without notice to respondent.	
	1881	1882	1881	1882	1881	1882
Deputy Commissioner of Nagpur ...	59 per cent.	63 per cent.	41 per cent.	37 per cent.	3 per cent	6 per cent
Do. Chanda ...	73 „	75 „	27 „	25 „	37 „	47 „
Do. Bhandara ...	44 „	56 „	56 „	44 „	2 „	1 „
Do. Wardha ...	59 „	60 „	41 „	40 „	...	...
Do. Balaghat ...	54 „	73 „	46 „	27 „	2 „	...
Do. Jubbulpore ...	55 „	59 „	45 „	41 „	1 „	...
Do. Saugor ...	55 „	60 „	45 „	40 „	1 „	1 „
Do. Damoh ...	77 „	19 „	23 „	81 „	...	...
Do. Seoni ...	73 „	69 „	27 „	31 „	40 „	41 „
Do, Mandla ...	55 „	75 „	45 „	25 „	26 „	13 „
Do. Hoshangabad ...	73 „	80 „	27 „	20 „	26 „	36 „
Do. Betul ...	63 „	70 „	37 „	30 „	...	1 „
Do. Narsinghpur ...	63 „	62 „	37 „	38 „	...	3 „
Do. Chhindwara ...	66 „	53 „	34 „	47 „	1 „	2 „
Do. Nimar ...	87 „	76 „	13 „	24 „	1 „	...
Do. Raipur ...	62 „	64 „	38 „	36 „	1 „	2 „
Do. Sambalpur ...	66 „	51 „	34 „	49 „	4 „	36 „
Do. Bilaspur ...	69 „	77 „	31 „	23 „	3 „	1 „
Total ...	65 per cent.	64 per cent.	35 per cent.	36 per cent.	6 per cent.	10 per cent.

The Officiating Judicial Commissioner is unable to understand how the Deputy Commissioners of Chanda, Seoni, Hoshangabad and Sambalpur came to dismiss such a large proportion of appeals as is shown in the above statement without notice to the respondent. There appears ground for supposing that these officers allow their procedure to be influenced by general views as to the advisability of discouraging or of encouraging appeals which are independent of the merits of the cases before them. Enquiry will be made regarding these cases and the records sent for and examined.

The very large proportion (69 per cent) of appeals in Damoh in which the decree of the Lower Court was reversed may be noticed, in only 19 per cent of the appeals was the decree of the Lower Court confirmed. Explanation will be called for as none has been submitted.

It will be seen that taking all the districts together, the proportion of appeals in which the decrees of the Lower Courts were upheld in the Deputy Commissioner's Courts was 64 per cent, against 65 per cent in 1881. These results are fairly good. The proportion varied in different districts from 80 per cent in Hoshangabad to 19 per cent in Damoh.

27. The average duration of appeals in the Courts of Deputy Commissioners was 33·3 days as compared with 29·4 days in 1880. This increase was in great part due to the higher durations in the Mandla, Wardha, Balaghat and Sambalpur district Courts The Deputy Commissioner of Mandla gives no sufficient explanation of the reason why with fewer appeals than in 1881, and with only 16 appeals in all, the average durations in his Court rose from 25 3 to 44·7 days For the Wardha Court the increase in the number of appeals and original suits is a valid ground of excuse : and the Deputy Commissioner of Sambalpur explains that in the beginning of the year the disturbances in Kalahandi called him away from his ordinary duties.

28. The increase in the durations of appeals heard by the Commissioners was partly due to the following special causes (*a*) the illness and death of Colonel Loch, the Officiating Commissioner of the Nagpur Division, (*b*) the illness of Colonel Playfair, Commissioner of the Jubbulpore Division, and (*c*) the Khond rising in the Chhattisgarh Division.

There was an improvement in the durations in the Judicial Commissioner's Court, which, however, are necessarily high, owing to the extent of the jurisdiction, and the time occupied in the transmission of processes and records.

29. The average duration of Miscellanous appeals (see Additional Statement No. VI) in all the Courts taken together shows a marked improvement. The durations in district Courts averaged 22·9 days as compared with 26 days in 1881: and in the Court of the Judicial Commissioner they averaged 71 days as compared with 107·4 days in the preceding year. For the reasons which affected regular appeals, the durations of miscellanous appeals in the Courts of the Commissioners were longer than in 1881.

TABLE M.

Appeals to the Commissioners and Deputy Commissioners.

	Courts of Deputy Commissioners.		Courts of Commissioners.		Total.		Percentage of appeals to appeable cases.	
	1881.	1882.	1881.	1882.	1881.	1882.	1881.	1882.
From decrees of ordinary Civil Courts ...	3,084	3,474	568	528	3,652	4,002	18·0	18·1
From orders ...	140	154	74	56	214	210		
Total ...	3,224	3,628	642	584	3,866	4,212		

TABLE N.

Disposal of Appeals.

Court.	Confirmed without notice to respondent		Dismissed fordefault.		Remanded for retrial.		Decree of Lower Court.						Total disposed of.
							Modified.		Reversed		Confirmed.		
	Number.	Percentage of total appeals.	Number.	Percentage of total appeals.	Number.	Percentage of total appeals.	Number.	Percentage of total appeals.	Number.	Percentage of total appeals.	Number.	Percentage of total appeals.	
1	2	3	4	5	6	7	8	9	10	11	12	13	14
Court of the Judicial Commissioner	243	50	7	2	34	7	21	4	83	17	94	20	482
Courts of the Commissioners—													
Nagpur ..	8	7	8	7	12	10	16	14	15	13	57	49	116
Jubbulpore ..	1	1	10	5	31	15	13	6	60	28	96	45	211
Nerbudda ..	...	...	5	4	13	10	9	7	25	20	75	59	127
Chhattisgarh ..	...	...	3	8	10	28	5	14	4	11	14	39	36
	9	2	26	5	66	14	43	9	104	21	242	49	490
Nagpur ...	26	6	25	6	23	5	36	9	96	23	213	51	419
Chanda ..	42	47	7	8	6	7	11	12	6	6	18	20	90
Bhandara ..	1	1	11	6	15	9	28	16	33	19	83	49	171
Wardha ..	...	...	25	8	18	6	23	7	84	27	160	52	310
Balaghat ..	...	...	2	3	3	4	4	6	12	17	48	70	69
Jubbulpore ...	...	..	12	8	32	21	7	4	25	16	78	51	154
Saugor ...	1	1	4	3	17	11	13	9	29	20	83	56	147
Damoh ..	..	...	3	6	4	8	2	4	33	69	6	13	48
Seoni ...	37	41	5	6	3	3	11	12	14	16	20	22	90
Mandla ..	2	13	1	6	1	6	...	...	3	19	9	56	16
Hoshangabad ...	131	36	36	10	13	4	27	8	28	8	122	34	357
Betul ...	1	1	14	9	5	3	22	14	20	13	91	60	153
Narsinghpur ..	8	3	19	6	54	18	36	12	25	8	160	53	302
Chhindwara ..	3	2	7	4	5	3	19	9	67	35	90	47	191
Nimar ...	.	...	23	11	19	9	8	3	25	12	141	65	216
Raipur ..	5	2	22	6	44	12	29	8	57	16	200	56	357
Sambalpur ...	99	36	21	8	48	17	11	4	76	28	20	7	275
Bilaspur ..	1	1	13	10	2	1	8	6	21	16	87	66	132
Total ...	357	10	250	7	312	9	295	8	654	19	1,629	47	3,497
Grand total ...	609	14	283	6	412	9	359	8	841	19	1,965	44	4,469

F.—Execution of Decrees.

Applications for execution.

30. Applications for execution increased by 9,495. There was an increase in nearly every district, but especially in the Nagpur district, where it amounted to 3,000. As fewer decrees were passed in the Nagpur district in 1882 than in 1881 (12,230 as against 13,069), and as the increase of decrees passed in the whole Province was only a little over 2,000, it is obvious that the majority of the applications for execution were upon old decrees. The probable explanation is that the continuance of good seasons suggested to many creditors the likelihood that in the improved circumstances of the mass of the people some portion of their bad debts might be recoverable. That this expectation was not realised is shown by the fact that the number of applications which were wholly infructuous rose from 38 to 39 per cent. At the same time there was a decrease in the number of cases in which judgment

debtors were committed to prison and a slight increase in the number of cases in which judgment debtors paid the claims against them after being arrested. As there was only a trifling increase in the number of instances in which moveables or immoveables had to be sold to satisfy decrees, while on the other hand there was a large increase in the sums realised with and without the issue of process, there are grounds for believing that such executions as were not taken out on speculation only were fairly successful.

The Deputy Commissioner of Chanda has not explained the entry of 324 cases "in which execution was otherwise effected" (column 22 of Statement VII); the presumption is that the explanation given last year applies, and that these figures represent cases in which judgment debtors satisfied the claims against them after the issue of process, but before arrest or attachment was effected.

Insolvency.

31. Applications to be declared insolvent were 156 in 1882, as against 159 in 1881. That more applications were made by persons not actually under arrest shows that the provisions of the law are better understood. Only 56 applications were granted, as against 58 in 1881. That the majority of the applicants were persons of small means is shown by the fact that in only 14 cases was it found necessary to appoint a receiver and that the amount of creditors' claims admitted during the year was only Rs. 9,213. One person was sentenced to imprisonment under Section 359 of the Civil Procedure Code, and 45 persons were declared insolvent and discharged, as compared with 52 persons discharged in 1881.

G.—Work done by Officers.

32. The following Tables O. to S. show how far Civil Judicial work has increased or decreased during the past 5 years in the Courts of the Judicial Commissioner, the Commissioners, Deputy Commissioners, Assistant and Extra-Assistant Commissioners at Head-quarters, and of Tahsildars and Naib Tahdars at Tahsils.

This information has not been given in previous reports, but Mr. Ward thinks that it is useful as illustrating the growth or decrease of Civil Judicial work among the different classes of Officers in these Provinces. The Tables show cases disposed of, not instituted, and exclude the work of Small Cause Courts which has already been shown in Table A. Miscellaneous suits, Insolvency proceedings, and Execution cases are only shown for the last two years, as the figures for previous years are not available. Mr. Ward would have wished to have given in Table S. the figures for each Tahsil, but they cannot be obtained this year from the District Statements. Table B. however, to some extent, supplies this defect, except that it does not show separately the Tahsil work at District Head-quarters. It also shows institutions and not work done.

TABLE O.
Work done by the Judicial Commissioner.

Special appeals.					Miscellaneous appeals.					Applications under Section 622, C. C. P.				
1878.	1879.	1880.	1881.	1882.	1878.	1879.	1880.	1881.	1882.	1878.	1879.	1880.	1881.	1882.
401	406	421	389	461	52	16	38	19	21	5	2	45	58	82

TABLE P.
Work done by Commissioners.

Courts.	Regular appeals.					Miscellaneous appeals.				
	1878.	1879.	1880.	1881.	1882	1878.	1879.	1880.	1881.	1882.
Commissioner of Nagpur ..	144	72	107	103	111	12	8	11	14	5
Commissioner of Jubbulpore ...	84	...	...	...	182	18	...	...	...	29
Commissioner of Nerbudda ...	81	1	8	2	120	19	1	...	...	7
Commissioner of Chhattisgarh ...	93	44	64	19	30	9	9	6	3	6
Additional Commissioner, Nerbudda and Jubbulpore ...	244	422	484	431	...	40	85	74	52	...
Total ...	651	550	663	555	443	98	103	91	69	47

TABLE Q.

Work done by Deputy Commissioners.

District.	Original suits.					Regular appeals.					Miscellaneous appeals.					Miscellaneous cases.		Insolvency cases.		Execution cases.	
	1878	1879	1880	1881	1882	1878	1879	1880	1881	1882	1878	1879	1880	1881	1882	1881	1882	1881	1882	1881	1882
Nagpur ...	1	6	5	7	...	309	293	290	97	204	14	19	11	1	8	...	...	...	...	9	2
Chanda ...	9	8	7	12	13	63	71	65	76	84	3	5	3	7	5	9	9	...	3	11	23
Bhandara ...	12	8	13	23	22	96	103	112	88	162	4	8	5	3	9	27	37	...	6	17	18
Wardha ...	4	4	5	2	1	226	248	221	251	293	15	22	12	2	17	41	30	...	...	4	...
Balaghat ...	1	16	3	4	2	54	51	33	88	69	2	1	1	4	...	39	37	...	..	7	6
Jubbulpore ..	8	6	11	14	11	139	111	150	91	149	6	1	4	4	5	104	68	...	...	22	19
Saugor ...	11	13	7	8	5	196	191	155	177	142	35	14	10	5	5	149	47	...	...	7	8
Damoh ...	5	7	3	2	7	64	82	80	87	47	6	4	7	2	1	15	32	1	..	2	3
Seoni ..	20	14	18	22	28	84	61	76	96	19	1	1	...	2	...	8	7	8	1	19	12
Mandla ...	6	7	4	5	4	25	38	31	23	16	...	1	4	4	...	5	...	...	1	7	7
Hoshangabad ...	19	5	15	18	9	377	475	331	315	194	48	40	21	11	5	50	18	1	...	21	9
Betul ...	5	21	16	8	14	93	114	140	118	151	4	4	3	5	2	69	61	1	3	12	9
Nimar ..	26	16	34	20	14	181	181	225	243	204	8	10	10	18	12	14	26	...	10	26	25
Narsinghpur ...	20	15	12	36	29	329	246	254	289	288	20	10	13	15	14	67	38	...	...	18	40
Chhindwara ...	11	15	9	5	35	127	147	138	159	176	16	10	2	5	15	48	30	...	5	10	17
Raipur ...	...	9	6	2	3	220	240	328	253	342	9	8	18	19	15	...	...	...	1	5	3
Sambalpur ...	4	35	47	16	10	86	194	282	268	267	4	12	15	8	8	49	72	8	7	1	6
Bilaspur .	3	4	4	6	2	177	166	135	141	130	...	2	4	3	2	19	23	1	5	7	...
Total ...	165	209	219	210	209	2,846	3,012	3,046	2,863	3,008	195	172	143	118	123	713	535	20	42	205	207

TABLE R.

Work done by Assistant and Extra-Assistant Commissioners.

District.	Original Suits.					Miscellaneous cases.		Insolvency cases.		Execution cases.		Regular appeals.		Miscellaneous appeals.	
	1878	1879	1880	1881	1882	1881	1882	1881	1882	1881	1882	1881	1882	1881	1882
Nagpur	1,478	1,496	1,328	1,272	1,297	251	232	91	46	1,729	1,925	169	196	16	11
Chanda	775	612	880	590	951	140	149	4	...	607	705	...	1	...	...
Bhandara	614	998	1,509	1,060	1,258	154	168	3	...	880	962	...	...	...	...
Wardha	663	457	423	578	555	145	208	2	26	580	544	...	...	...	...
Balaghat	967	241	390	158	232	55	36	...	...	167	192	...	...	...	...
Jubbulpore	515	474	500	438	455	49	57	31	24	333	329	...	...	...	...
Saugor	666	546	465	357	478	82	96	...	...	409	442	...	...	...	...
Damoh	325	527	313	247	285	28	13	...	...	157	171	..	...	...	...
Seoni	132	204	164	201	184	9	30	...	...	151	188	...	...	..	...
Mandla	158	206	198	172	157	24	10	...	..	74	117	...	...	...	...
Hoshangabad	1,539	1,019	955	1,173	938	174	138	13	12	1,187	1,057	...	151	...	...
Betul	199	272	213	131	327	31	53	...	..	130	182	...	...	...	...
Nimar	2,071	1,343	1,303	1,315	869	187	165	11	...	1,344	1,443	...	...	...	...
Narsinghpur	876	854	569	465	549	65	43	...	...	525	569	...	...	...	...
Chhindwara	530	526	557	447	376	73	49	...	..	383	281	...	...	...	...
Raipur	458	692	595	629	663	43	59	1	3	395	527	47	...	2	..
Bilaspur	263	210	442	720	719	37	66	...	..	300	511	...	...	...	...
Sambalpur	249	376	1,267	968	557	75	32	...	...	487	335	...	...	...	..
Total ..	12,478	11,083	12,071	10,921	10,850	1,622	1,604	156	111	9,838	10,480	216	348	18	18

TABLE S.

Work done by Tahsildars and Naib-Tahsildars.

District.	Original suits.					Miscellaneous suits.		Execution-cases.	
	1878	1879	1880	1881	1882	1881	1882	1881	1882
Nagpur ..	7,448	8,937	9,431	8,622	8,556	844	924	5,728	6,315
Chanda ...	1,952	2,523	2,789	3,311	3,739	235	208	1,560	1,852
Bhandara ...	2,387	2,599	2,984	3,564	4,715	214	378	1,341	2,123
Wardha ...	3,802	5,019	6,202	6,299	7,638	522	744	3,360	4,658
Balaghat ...	1,307	1,122	1,007	1,573	1,693	108	151	682	889
Jubbulpore ...	1,878	2,175	2,323	2,560	2,539	134	45	1,059	1,029
Saugor ...	3,217	2,755	2,743	2,744	2,737	151	119	1,319	1,319
Damoh ...	1,452	1,545	1,787	1,712	1,625	67	115	510	476
Seoni ...	1,291	1,752	1,821	1,683	1,459	61	77	769	749
Mandla ...	387	640	447	454	646	14	6	136	139
Hoshangabad ...	5,549	7,342	6,104	5,951	6,428	455	359	3,585	3,393
Betul ...	2,301	3,036	2,767	2,426	2,606	166	192	1,196	1,361
Nimar ...	4,288	6,265	6,301	6,115	5,926	202	222	2,978	3,793
Narsinghpur ..	3,408	3,765	3,988	4,041	4,795	123	172	2,656	2,925
Chhindwara ...	2,578	2,951	3,165	3,221	3,186	145	117	1,750	2,083
Raipur ..	4,034	5,137	5,783	5,611	5,418	99	113	1,844	2,738
Bilaspur ...	2,272	2,326	3,071	3,187	3,071	29	27	818	934
Sambalpur ...	1,425	2,314	1,561	2,043	2,862	68	71	677	977
Total ...	50,976	62,203	64,274	65,117	69,634	3,637	4,040	31,968	37,753

33. The conclusions to be drawn from an examination of the above tables are these —

The increase in litigation, excluding Small Cause Court cases, which has occurred in the last 5 years has caused an increase of work at tahsils only, the original suits disposed of having risen from 50,976 in 1878 to 69,634 in the past year, being an increase of over 36 per cent. Miscellaneous suits and execution cases at tahsils have of course increased in proportion. The districts in which the tahsil work has been most marked and steady are Chanda, Bhandara, Wardha, Balaghat, Narsinghpur and Chhindwara; the Seoni tahsils, on the other hand, show a decrease of work.

The work done by Assistant Commissioners and Extra-Assistant Commissioners in the last two years and in 1879 is considerably less than what fell to the share of these officers in 1878 and 1880.

The work of Deputy Commissioners has remained tolerably steady during the last 5 years; it has, however, been already pointed out that there was an increase in the number of appeals instituted in the Courts of Deputy Commissioners. There was a marked decrease last year in the appeals disposed of by the Deputy Commissioner of Hoshangabad, and a marked increase in the appellate work of the Deputy Commissioner of Wardha.

The work of Commissioners show a marked decrease in the last two years; the number of appeals disposed of by these officers last year was 443 only against 651 disposed of in 1878. There has been a similar decrease in miscellaneous appeals.

In the Judicial Commissioner's Court there are indications of increase of work, but not to any material extent.

34. The office of Judicial Commissioner was held by Mr. J. W. Neill from the beginning of the year up to the 28th April, and by Mr. R. J. Crosthwaite from the 29th of April to the end of the year.

35. The Courts of the following districts were inspected by Mr. R. J. Crosthwaite during the late camping season:—

Bhandara.	Seoni.	Nimar.
Wardha.	Mandla.	Jubbulpore.
Saugor.	Hoshangabad.	
Damoh.	Narsinghpur.	

36. In May, the Civil Rulings of this Court from 1862 to 1882 were issued in the form of a Digest, translations of which are being supplied to all native judges. The Digest is so arranged that additions may be made to it yearly. Rules for the destruction of Records framed under Act III of 1879, and sanctioned by the Government of India, were issued in June, and the reports show that progress is being made with the elimination of useless records. The bulk of all records sent by post between subordinate Courts and Courts of appeal and revision was reduced by instructions as to the separate filing of papers relating to ministerial matters only. At the close of 1882, a scheme was perfected for the entertainment of a staff of salaried copyists and the levying of copying fees by means of impressed stamps, and the new system (which had been suggested and approved by the Government of India) was brought into force at the commencement of the present year.

I have the honor to be,

Sir,

Your most obedient Servant,

L. K. LAURIE,

Offg. Registrar.

PRESCRIBED

STATEMENTS.

[Giving statistics of Civil and Revenue Suits and showing totals for each grade of Courts.]

JUDICIAL STATEMENT No. 1—(Civil and Criminal.)

Statement showing the number of Judicial divisions and the number of Officers exercising Appellate or Original jurisdiction in the Central Provinces on the last day of the year 1882 with the cost of Tribunals.

Name of Province.			Area.	Population.	Number of divisions for Courts under Chief Court but superior to Chief Courts of districts.	Number of districts.	Number of sub-districts.	Total number of officers exercising original or appellate jurisdiction. Judges of Chief Court of province.	Judges of other Courts superior to Chief District Courts.	Judges of Chief Court of districts.	Judges of District Courts other than Chief Courts.	Judges of other subordinate Courts.	Total number of cases decided. Original. Regular.	Original. Miscellanous.	Appeals. Regular.	Appeals. Miscellanous.	Total receipts of the Courts.	Total charges of the Courts.
1			2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
Central Provinces.	Territory subject to the High Court	Civil and Revenue ...	84,963	8,201,519	4	18	53	1	4	18	36	97	100,510	7,332	5,185	252	8,05,793	11,17,418
		Criminal ...									41	117	25,978	1,453	1,166	28		
	Ditto not subject to the High Court ...	Civil and Revenue ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
		Criminal ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
	* Total ...		84,963	8,201,519	4	18	53	1	4	18	41	158	1,26,488	8,785	6,351	280	8,05,793	11,17,418

NOTE.—Number of European and Native Judicial Officers exercising Appellate or Original jurisdiction.

The Civil grades are those described in Act XIV. of 1865. On the Criminal side District Officers are included with 1st Class Magistrates.

CIVIL.

	Nait-Tahsildars.		Judges of Small Cause Courts.		Registrars of Small Cause Courts.		Courts of	1st Grade.		2nd Grade.		3rd Grade.		4th Grade.		5th Grade.		6th Grade.		7th Grade.		8th Grade.	
	Euro.	Natives.	Euro.	Natives.	Euro.	Natives.		Euro.	Natives.	Euro.	Natives.	Euro.	Natives.	Euro.	Natives.	Euro.	Natives.	Euro.	Natives.	Euro.	Natives.	Euro.	Natives.
	0	38	6	0	0	2		0	3	0	48	2	1	2	17	4	10	18	0	4	0	1	0

CRIMINAL.

	High Court Judges.		Sessions Judges.		Magistrates.	1st Class.		2nd Class.		3rd Class.		Cantonment Magistrates.	
	Euro.	Natives.	Euro.	Natives.		Euro.	Natives.	Euro.	Natives.	Euro.	Natives.	Euro.	Natives.
	1	0	4	0		28	35	4	83	1	21	4	0

* The totals of cols. 7 to 11 show the *actual number of individuals*, as required. As the same officer has in some (but not in all) cases both Civil and Criminal powers, the figure totals of cols. 10 and 11 are higher than the totals shown.

JUDICIAL STATEMENT 7—(Civil).

Statement showing the number and description of Civil Suits instituted in the Civil Courts in the Central Provinces in the year 1882.

Class of Tribunals.	Suits for money or moveable property.										Suits under the Rent Law.								Title and other Suits.																	
	Contract in writing.	Contract not in writing.	On account stated.	Money had and received.	Goods sold.	Wages, work and materials.	Breach of contract not mentioned above.	Rent not falling under the Rent Law.	Moveable property or value thereof.	Damages.	Arrears of rent with or without ejectment or cancelment of lease.	Enhancement or abatement of rent.	Relating to distraint.	Damages for extortion or witholding receipt, or on account of illegal restraint, or other cause.	For pattahs or kabuliyats.	For ejectment or recovery of possession.	For recovery of money or accounts from Agents.	All other suits under the Rent Law not included above	Suits for immoveable property.	Suits for declaratory decrees.	Other suits under the Specific Relief Act.	Suits to declare and establish rights to real property including pre-emption, foreclosure &c.	Suits to declare and establish personal rights.	Suits for an account.	Suits relating to religious endowments.	Suits to set aside judgments, contracts or obligation on the ground of fraud.	Suits for dissolution of marriage.	Suits for enforcement of matrimonial rights.	Suits for partition.	Suits relating to shipping.	Suits relating to religion and caste.	Administration suits.	Interpleader suits.	Dissolution of partnership.	Suits under Section 261, Act X. of 1865 (also Hindu Wills' Act.)	Other suits not falling under any of the previous heads.	Grand Total.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38
COURTS IN THE INTERIOR.																																					
I.—Civil Courts.																																					
Unpaid Tribunals ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Village Courts ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Paid Sub-Divisional Tribunals...	36,384	13,975	1,759	574	5,609	1,082	3,314	706	3,729	2,037	...	...	...	...	...	...	...	...	435	2	4	3	5	...	...	...	...	2	...	...	...	...	...	...	...	4	69,624
Small Cause Courts ...	6,182	1,761	523	121	2,304	247	226	199	153	280	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	11,996
District Courts other than Chief Courts of Districts ...	3,793	659	321	63	294	39	209	63	367	229	...	...	...	...	...	...	...	...	3,387	164	78	355	34	28	4	96	18	297	10	...	4	...	...	1	...	34	10,547
Chief Courts of Districts ...	127	54	15	4	3	4	5	2	10	6	...	...	...	...	...	...	...	...	182	8	2	10	...	11	1	12	...	17	2	...	...	...	...	...	...	6	481
Total ...	46,486	16,449	2,618	762	8,210	1,372	3,754	970	4,259	2,552	...	...	...	...	...	...	...	...	4,004	174	84	368	39	39	5	108	18	316	12	...	4	...	...	1	...	44	92,648
II.—Revenue Courts.																																					
Unpaid Local Tribunals ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Other Subordinate Courts ...	...	...	...	...	...	...	...	...	...	...	5,769	142	...	19	31	841	8	198	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	7,008
District Courts ...	...	...	...	...	...	...	...	...	...	...	150	173	1	2	25	118	9	95	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	573
Total ...	...	...	...	...	...	...	...	...	...	...	5,919	315	1	21	56	959	17	293	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	7,581
COURTS AT THE PRESIDENCY OR SEAT OF GOVT.																																					
Presidency Small Cause Courts.	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Superior Courts ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Total ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Grand Total ...	46,486	16,449	2,618	762	8,210	1,372	3,754	970	4,259	2,552	5,919	315	1	21	56	959	17	293	4,004	174	84	368	39	39	5	108	18	316	12	...	4	...	...	1	...	44	1,00,229

JUDICIAL STATEMENT 8—(Civil.)

Statement showing number and value of suits instituted in the Civil and Revenue Courts in the Central Provinces in the year 1882.

Value of Suits.	Number of Suits instituted in the different Courts.									Total value of suits.	Remarks.
	Not exceeding Rs. 10.	Ditto Rs. 50	Ditto Rs. 100	Ditto Rs. 500	Ditto Rs. 1,000	Ditto Rs. 5,000	Ditto Rs. 10,000	Exceeding Rs. 10,000	Number of suits the value of which cannot be estimated in money.		
1	2	3	4	5	6	7	8	9	10	11	12
COURTS IN THE INTERIOR.											
I.—Civil Courts.											
Unpaid Tribunals ..	...	...	...	...	...	...	...	...	...	...	
Village Courts ...	...	...	...	...	...	...	...	...	...	...	
Paid Sub-Divisional Tribunals ..	20,290	37,424	8,339	3,572	...	...	...	...	...	22,23,318	
Small Cause Courts ...	3,765	5,866	1,324	964	77	...	...	...	...	4,61,014	
District Courts, other than Chief Courts of Districts —	1,217	2,565	2,069	3,910	656	367	14	10	...	23,80,097	
Chief Courts of Districts ...	1	9	17	28	7	117	28	12	...	9,11,231	
Total ...	25,273	45,864	11,749	8,474	740	484	42	22	..	59,75,660	
II.—Revenue Courts.											
Unpaid Tribunals ...	...	...	...	..	...	...	...	...	...	...	
Other Subordinate Courts ...	2,528	3,768	778	482	22	3	...	...	...	2,70,104	
Collector's Courts ...	...	...	...	...	...	...	...	...	...	...	
Total ...	2,528	3,768	778	482	22	3	...	...	...	2,70,104	
COURTS AT THE PRESIDENCY OR SEAT OF GOVERNMENT.											
Presidency Small Cause Courts ..	...	...	...	...	...	...	...	...	...	...	
Superior Courts ...	...	...	...	...	...	...	...	...	...	...	
Total ...	...	...	...	...	...	...	...	...	...	...	
Grand Total ...	27,801	49,632	12,527	8,956	762	487	42	22	...	62,45,764	

JUDICIAL STATEMENT 9—(Civil.)

Statement showing the general result of the trial of Civil and Revenue cases in the Courts of Original Jurisdiction in the Central Provinces in the year 1882.

PART I.—CIVIL SUITS.

Class of Courts.	Total number of suits before the Courts.	Number of suits disposed of.										Pending at the close of the year.	Number of cases pending more than three months at the close of the year.	Average duration of suits.		Remarks
		Transferred to Courts in other Provinces.	Without trial.	Without contest.				On reference to arbitration.		With contest.						
				Compromised.	Decreed on confession.	Decreed *ex parte*.	Dismissed *ex parte*.	For plaintiff.	For defendant.	Judgment for plaintiff in whole or in part.	Judgment for defendant.			Contested.	Uncontested.	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
COURTS IN THE INTERIOR.																
I.—CIVIL COURTS.																
Unpaid Tribunals	...	...	...	.	..	...	...	...	.		..	...	..	...		
Village Courts		..	.				..	.	.							
Paid Sub-Divisional Tribunals	73,468	1	14,133	9,368	16,876	11,304	634	134	35	12,965	4,353	3,834	9	32·9	22·9	
Small Cause Courts ..	12,848	...	2,290	1,361	3,156	2,380	63	35	22	2 295	731	572	2	26·2	20·0	
District Courts other than Chief Courts of Districts	11,689		2,077	738	1,845	1,406	98	44	2	3,039	1,647	539	17	48·0	29 8	
Chief Courts of districts	250	...	21	12	18	23	2	3	3	89	42	41	9	92 0	39·8	
Total ..	98,255	1	18,521	11,479	21,895	15,115	797	216	62	18,388	6,773	5,286	37	36 8	24 5	
II.—REVENUE COURTS.																
Unpaid Local Tribunals	...	...		.	.	...			.	.	...	..	.			
Other Subordinate Courts	7,300	...	1,336	822	1,377	809	50	5	2	1,892	668	346	...	39·9	26·0	
District Courts	633	..	146	45	36	35	4		..	217	104	46	2	66 9	39 0	
Total ...	7,933		1,482	867	1,413	844	54	5	2	2,109	772	392	2	42·6	26 8	
COURTS AT THE PRESIDENCY OR SEAT OF GOVERNMENT.																
Presidency Small Cause Courts . ..	..	...	.		.		...	..	...	...	...	...	...	..	...	
Superior Courts		..			.	.	..	..	...	..	.	.	...		..	
Total ..		..	.			.		.			..			.		
Grand Total ...	1,06,188	1	20,003	12,346	23,308	15,957	851	221	64	20,497	7,547	5,678	39	37·4	23·3	

JUDICIAL STATEMENT 9.—(Civil.)

Statement showing the general result of the trial of Civil and Revenue cases in the Courts of Original Jurisdiction in the Central Provinces in the year 1882.

PART II.—MISCELLANEOUS CASES (JUDICIAL).

Class of Courts.	Total number of cases before the Courts.	Number of cases disposed of.										Pending at the close of the year.	No. of cases pending more than three months at the close of the year.	Average duration of cases.		Remarks.
		Transferred to Courts in other Provinces.	Without trial.	Without contest.				On reference to arbitration.		With contest.						
				Compromised.	Decreed on confession.	Decreed *ex parte*.	Dismissed *ex parte*.	For plaintiff.	For defendant.	Judgment for plaintiff in whole or in part.	Judgment for defendant.			Contested.	Uncontested.	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
COURTS IN THE INTERIOR.																
I.—CIVIL COURTS.																
Unpaid Tribunals ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Village Courts ...	...	...	..	...	..	...	...	...	...	...	...	...	...	...	...	
Paid Sub-divisional Tribunals ...	4,164	...	943	138	538	447	173	20	19	1,110	652	124	...	25·3	16·5	
Small Cause Courts ...	569	3	281	12	19	64	8	1	2	89	79	11	...	19·	9·2	
District Courts other than Chief Courts of Districts ...	1,633	...	435	42	161	196	72	5	8	426	259	29	...	32·4	23·0	
Chief Courts of districts ...	541	...	215	2	57	105	14	2	...	96	44	6	2	26·7	27·8	
Total ...	6,907	3	1,874	194	775	812	267	28	29	1,721	1,034	170	2	26·7	18·2	
II.—REVENUE COURTS.																
Unpaid Local Tribunals ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Other Subordinate Courts ...	583	...	211	51	8	94	7	...	...	139	73	...	...	37·1	25·8	
District Courts ...	12	...	2	...	1	3	1	...	...	4	1	...	...	37·	46·1	
Total ...	595	...	213	51	9	97	8	...	..	143	74	...	...	36·8	26·1	
COURTS AT THE PRESIDENCY OR SEAT OF GOVERNMENT.																
Presidency Small Cause Courts ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Superior Courts ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Total ...	...	...	...	...	...	...	...	...	...	...	7	...	...	...	...	
Grand Total ...	7,502	3	2,087	245	784	909	275	28	29	1,864	1,108	170	2	27·5	19·0	

JUDICIAL STATEMENT 10.—(Civil.)

Statement showing the business of the Civil and Revenue Appellate Courts of the Central Provinces in the year 1882.

PART I.—APPEALS.

Class of Courts.	Total number of appeals before the Court.	Transferred to Courts in other provinces.	Appeals summarily rejected.	Dismissed for default or otherwise not prosecuted.	Heard *ex parte*.				Contested.				Pending.	Of those pending more than three months	Average duration of appeals.	Objections under Section 561, Act X of 1877.
					Confirmed.	Modified.	Reversed.	Remanded.	Confirmed.	Modified.	Reversed.	Remanded.				
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
COURTS IN THE INTERIOR.																
Appeals from original decrees ...																
A—CIVIL COURTS.																
Chief Appellate Courts other than Chief Courts of Districts ...	383	...	90	41	9	6	4	2	102	30	49	15	35	..	30·0	...
Chief Appellate Courts of Districts ...	3,352	...	254	190	112	27	73	60	1,355	230	490	217	344	15	33·7	18
Superior Appellate Courts other than Chief Court of Province ...	587	...	9	21	11	5	4	1	216	38	76	62	144	22	62·1	12
Total ...	4,322	...	353	252	132	38	81	63	1,673	298	615	294	523	37	36·7	30
B.—REVENUE COURTS.																
Collector's Appellate Courts ...	301	...	10	21	7	5	4	9	134	30	32	30	19	..	35·7	...
Commissioner's Appellate Courts ...	431	...	...	14	11	1	1	...	182	32	57	48	85	9	70·8	5
Total ...	732	...	10	35	18	6	5	9	316	62	89	78	104	9	55·1	5
COURTS AT THE PRESIDENCY OR SEAT OF GOVERNMENT.																
Chief Court of Province. Appeals from original decree	...	...	...	..	...	...	...	...	...	...	..	...	...	...	...	...
Chief Court of Province. Appeals from appellate decree — Civil ...	589	...	243	7	6	1	12	4	71	20	68	29	128	34	101·9	...
Chief Court of Province. Appeals from appellate decree — Rev. ..	31	...	16	2	1	..	1	...	4	...	2	.	5	...	113·5	...
Total ..	620	...	259	9	7	1	13	4	75	20	70	29	133	34	102·4	...
Grand Total ..	5,674	...	622	296	157	45	99	76	2,064	380	774	401	760	80	45·6	35

NOTE.—The revenue appeals in the Commissioner's Courts have been shown under "B—Revenue Courts."

JUDICIAL STATEMENT 10—(Civil.)

Statement showing the business of the Civil and Revenue Appellate Courts of the Central Provinces in the year 1882.

PART II.—Miscellaneous Appeals (Judicial.)

CLASS OF COURTS.	Total number of appeals before the Court.	Transferred to Courts in other Provinces.	Appeals summarily rejected.	Dismissed for default or otherwise not prosecuted.	Heard *ex parte*.				Contested.				Pending.	Of these pending more than three months.	Average duration of appeals.	Objection under section 561, Act X, of 1877.
					Confirmed	Modified.	Reversed.	Remanded.	Confirmed.	Modified.	Reversed.	Remanded.				
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
COURTS IN THE INTERIOR.																
Appeals from original decrees —																
A.—CIVIL COURTS.																
Chief Appellate Courts other than Chief Courts of Districts ..	19	...	10	3	...	...	...	...	1	...	3	1	1	...	20·1	...
Chief Appellate Courts of Districts ...	135	...	3	16	14	...	6	6	36	2	29	11	12	...	23·2	...
Superior Appellate Courts other than Chief Court of Province ...	56	...	...	5	5	...	7	...	10	...	17	3	9	...	47·5	...
Total .	210	.	13	24	19	..	13	6	47	2	49	15	22	...	29·0	...
B.—REVENUE COURTS.																
Collector's Appellate Courts ...	43	...	...	1	1	...	3	...	19	...	13	6	...	...	27·1	...
Commissioner's Appellate Courts .	22	..	2	10	...	...	1	1	3	...	3	1	1	...	41·4	...
Total .	65	...	2	11	1	...	4	1	22	...	16	7	1	...	42·7	...
COURTS AT THE PRESIDENCY OR SEAT OF GOVERNMENT.																
Chief Court of Province. Appeals from Original decrees	...	...	...	...	...	...	..	...	...	...	...	...	...	...	...	...
Chief Court of Province. Appeals from Appellate ditto.	31	...	13	..	1	...	1	..	3	...	2	1	10	6	71·0	...
Total ...	31	..	13	...	1	...	1	...	3	...	2	1	10	6	71·0	...
Grand Total ...	306	...	28	35	21	...	18	7	72	2	67	23	33	6	39·9	...

NOTE—The Revenue appeals in the Commissioner's Appellate Courts have been shewn under "B—Revenue Courts."

JUDICIAL STATEMENT 11.—(Civil.)

STATEMENT showing the result of proceedings on applications for the execution of the decrees of the Civil and Revenue Courts in the Central Provinces, in the year 1882.

CLASS OF COURTS.	Total number of applications for the execution of decrees before the Courts.	Applications disposed of				Pending at the end of the year.	Number of applications pending more than three months at the close of the year.	Amount realised.		Number of applications.											
		By transfer.	Satisfaction obtained in full.	Satisfaction obtained in part.	Wholly infructuous.			With the issue of processes.	Without the issue of process.	On which the judgment debtor was imprisoned.	On which he was arrested but realised without imprisonment.	On which moveable property. Was sold.	On which moveable property. Was attached but subsequently released.	On which immoveable property. Was sold.	On which immoveable property. Was dealt with under Secs. 305, 322 or 346, Act XIV of 1882.	On which immoveable property. Was attached but subsequently released under Sec. 275.	On which possesser was given. Of moveables.	On which possesser was given. Of immoveables.	On which specific performance was enforced	On which partition was effected.	On which execution was effected otherwise than as in the preceding columns.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
COURTS IN THE INTERIOR.																					
I.—Civil Courts.																					
Unpaid tribunals	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Village Courts	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Paid Sub-Divisional Tribunals ...	43,975	693	10,951	8,463	17,646	6,222	247	3,24,418	50,376	283	1,259	3,470	4,324	2,343	145	3,087	39	118	4	7	245
Small Cause Courts	8,541	916	1,856	1,758	3,446	565	60	47,243	1,536	178	363	516	330	...	...	...	1	...	...	...	...
Districts Courts other than Chief Courts of Districts	12,724	128	3,243	2,648	4,461	2,244	349	3,95,683	67,766	95	294	869	997	672	90	1,053	86	991	17	20	92
Chief Courts of districts	267	8	80	51	68	60	38	1,18,871	6,477	1	3	14	23	11	11	16	6	25	3	...	2
Superior Courts	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Total ...	65,507	1,745	16,130	12,920	25,621	9,091	694	8,86,215	1,26,155	557	1,919	4,869	5,674	3,026	246	4,156	132	1,134	24	27	339
II.—Revenue Courts.																					
Unpaid Local Tribunals	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Other Subordinate Courts	2,866	15	1,216	466	842	327	19	29,951	5,172	12	80	224	369	84	8	195	24	168	...	...	17
Districts Courts	495	1	241	86	101	66	11	13,928	3,203	3	9	26	26	9	1	28	...	74	...	...	7
Total ...	3,361	16	1,457	552	943	393	21	43,879	8,375	15	89	250	395	93	9	223	24	242	...	...	24
COURTS AT THE PRESIDENCY OR SEAT OF GOVERNMENT.																					
Presidency Small Cause Courts ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Superior Courts	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Total ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Grand Total ...	68,868	1,761	17,587	13,472	26,564	9,484	715	9,30,094	1,34,530	572	2,008	5,119	6,069	3,119	255	4,379	156	1,376	24	27	363

JUDICIAL STATEMENT 12.—(Civil).

Statement showing the number and result of applications and proceedings under Chapter XX., Act X. of 1877, in the Central Provinces, in the year 1882.

CLASS OF COURTS.	Applications for a declaration of Insolvency.								Number of insolvents discharged during the year under Section 355.	Number of insolvents' estates in the hands of receivers in which proceedings were finally closed during the year.	Amount of creditors' claims dealt with during the year.		Gross amounts of insolvency assets realized and disbursed		Remarks.
	Total number for hearing.	Transferred to another Province, withdrawn, &c.	Granted.		Rejected.			Pending at the close of the year.			Admitted.	Satisfied.	Realized during the year.	Disbursed during the year.	
			A receiver being appointed	A receiver not being appointed.	Penal proceedings under section 359, not being taken.	Sentence of imprisonment being passed under Section 359	Applicant being sent to the Magistrate to be dealt with								
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
Courts other than Chief Courts of Districts ..	131	48	10	21	31	1	...	20	6	7	7,196	20,989	15,953	21,459	
Chief Courts of Districts ...	45	23	4	11	4	..	...	3	..	1	2,017	11	16	11	
Superior Courts ...	...	..	...	...	...	..	..	...	..	...	...	...	...		
Total ...	176	71	14	32	35	1	...	23	6	8	9,213	21,000	15,969	21,470	

JUDICIAL STATEMENT 13.—(Civil and Criminal.)

(Showing use of Juries and Assessors in the Civil and Criminal Courts in the Central Provinces in the year 1882, is blank as a Civil return.)

ADDITIONAL

STATEMENTS.

[Giving statistics of Civil suits only, and showing totals for each District.]

STATEMENT

Statement showing the number and description of suits instituted in the Civil

Districts.	Suits for money or moveable property.												
	Contract in writing.	Contract not in writing.	On account stated.	Money had and received.	Goods sold.	Wages, work and materials.	Breach of contract not mentioned above.	Rent not falling under the Rent Law.	Moveable property or value thereof.	Damages.	Suits for immoveable property.	Suits for declaratory decrees.	Other suits under the Specific Relief Act.
1	2	3	4	5	6	7	8	9	10	11	12	13	14
Nagpur ...	10,961	2,299	407	169	2,215	156	377	157	487	394	604	31	24
Chanda ...	3,088	342	169	33	327	20	319	19	191	74	65	2	13
Bhandara ...	4,152	811	8	37	227	27	312	9	102	151	155	2	...
Wardha ..	4,360	1,254	686	58	767	17	66	27	582	114	303	9	15
Balaghat ...	905	461	11	3	75	59	58	32	167	79	52	1	3
Jubbulpore ...	2,499	1,141	344	94	687	129	33	161	137	233	559	11	1
Saugor ...	1,744	585	110	13	198	32	122	38	179	69	225	10	20
Damoh ...	996	443	33	13	84	15	9	7	101	41	132	1	3
Seoni ...	683	396	12	18	111	25	144	15	85	68	49	1	...
Mandla ...	151	286	23	33	122	15	22	7	67	61	10	...	...
Hoshangabad ...	3,662	1,296	217	31	410	369	437	65	329	124	421	13	1
Betul ...	1,270	593	20	57	220	40	89	42	306	107	100	8	..
Narsinghpur ...	2,503	743	106	7	9	180	700	71	534	63	362	8	2
Chhindwara ..	2,159	647	50	28	159	11	136	8	145	100	127	1	...
Nimar ..	3,681	1,001	244	132	926	112	177	98	144	122	157	47	1
Raipur ...	1,866	1,822	132	32	764	86	254	77	277	290	270	5	...
Sambalpur ..	981	928	28	1	474	44	116	44	178	288	252	24	1
Bilaspur ..	825	1,398	18	3	435	35	363	93	248	174	161	..	...
Total 1882	46,486	16,449	2,618	762	8,210	1,372	3,754	970	4,259	2,552	4,004	174	84
Total 1881	45,618	14,855	2,273	900	8,584	933	5,625	826	3,620	2,223	3,454	113	88

STATEMENT No. II.—Exhibition of above Grand

Rs.													
Notexceeding 10	5,643	7,744	537	300	5,275	749	1,213	450	1,540	849	831	5	15
Ditto 50	27,544	7,002	1,193	297	2,497	545	1,808	388	2,002	1,171	1,342	12	17
Ditto 100	7,831	965	335	86	289	42	418	72	398	291	642	4	14
Ditto 500	4,979	610	450	65	137	3:	283	39	267	203	891	142	33
Ditto 1,000	316	59	54	9	7	2	23	10	34	27	141	4	3
Ditto 5,000	160	59	43	4	5	2	9	11	16	11	131	5	2
Ditto 10,000	9	6	6	1	...	...	...	...	2	...	14	2	...
Exceeding 10,000	4	4	...	...	...	...	...	...	...	...	12	...	...
Total 1882	46,486	16,449	2,618	762	8,210	1,372	3,754	970	4,259	2,552	4,004	174	84
Total 1881	45,618	14,855	2,273	900	8,584	933	5,625	826	3,620	2,223	3,454	113	88

No. I.

Courts in the Districts of the Central Provinces, during the year 1882.

Title and other suits.																Remarks.					
Suits to declare and establish rights to real property, including pre-emption, foreclosure, &c.	Suits to declare and establish personal rights.	Suits for an account.	Suits relating to religious endowments.	Suits to set aside judgments, contracts or obligations on the ground of fraud.	Suits for dissolution of marriage.	Suits for enforcement of matrimonial rights.	Suits for partition.	Suits relating to shipping.	Suits relating to religion and caste.	Administration suits.	Interpleader suits.	Dissolution of partnership.	Suits under Section 261, Act X. of 1865, (also Hindu Wills Act.)	Other suits not falling under any of the previous heads.	Total.						
15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30						
45	11	2	4	12	9	51	1	..	2	...	...	..	...	2	18,420						
...	3	1	...	5	1	9	1	.	.	...	...	..	...	7	4,689						
9	...	4	...	3	1	11	2	...		..	...	1	...	5	6,029						
22	12	...	...	2	2	18	..	...	..	...	...	...	...	3	8,317						
2	...	...	...	...	...	15	...	.	..	...	...	..	...	...	1,923						
49	..	1	..	9	...	35	2	.	..	...	..	..	...	..	6,125						
12	5	3	...	2	1	7	2	...	...	...	.	..	...	1	3,378						
8	...	...	1	6	...	1	...	...	...	...	...	..	...	...	1,894						
1	...	...	...	4	...	12	...	..	...	...	...	...	...	2	1,626						
1	...	...	...	...	...	5	...	...	...	...	...	...	...	...	803						
2	3	16	...	7	.	19	2	...	2	...	...	...	...	3	7,449						
59	1	1	..	6	1	12	1	..	..	...	..	..	...	13	2,949						
3	...	1	...	5	...	8	..	...	.	...	...	...	...	3	5,308						
7	1	3	...	10	..	28	.	..	..	...	...	..	...	3	3,623						
2	1	1	...	3	2	57	1	..	.	...	...	..	...	...	6,909						
103	1	5	...	18	1	14	...	..	...	..	..	...	...	1	6,018						
37	...	1	..	3	..	8	...	.	...	...	..	...	...	...	3,408						
6	1	.	...	13	..	6	...	..	..	.	...	...	..	1	3,780						
368	39	39	5	108	18	316	12	...	4	..	.	1	..	44	92,648	Number of suits instituted in different Courts.					Total value of suits (as computed under the Court Fees Act.)
291	45	51	2	74	8	269	13	..	1	1	..	2	...	34	89,903	Small Cause Court.	Naib Tahsildar's Courts.	Courts of Tahsildars.	Courts of Assistant Commissioners.	Courts of Deputy Commissioners.	
Total in detail of values.																31	32	33	34	35	36
109	...	..	...	3	.	..	2	.	.	..	...	...	..	8	25,273	3,765	15,602	4,688	1,217	1	1,47,960
24	4	..	...	15	..	1	.	.	1	.	...	...	...	1	45,864	5,866	25,739	11,685	2,565	9	11,61,966
30	5	2	..	13	4	303	1	.	.	..	...	.	..	4	11,749	1,324	...	8,339	2,069	17	8,24,846
159	26	34	3	64	14	1[illegible]	5	.	3	.	..	1	..	22	8,474	964	...	3,572	3,910	28	14,[illegible]4,377
30	3	2	...	7	...	..	3	.	.	..	...	...	...	6	740	77	...	...	656	7	5,10,305
16	1	..	1	5	..	..			.	.	..	..	..	3	484	..	...	...	367	117	9,13,996
...	..	..	1	...	...	..	1	.	..	...	..	..	...	...	42	...	...	...	14	28	3,20,291
...	...	1	...	1		..	.	..	...	...	.	.	...	...	22	...	...	...	10	12	6,01,919
368	39	39	5	108	18	316	12	...	4	..	...	1	...	44	92,648	11,996	41,341	28,284	10,808	219	59,75,660
291	45	51	2	74	8	269	13	..	1	1	...	2	..	34	89,903	12,085	41,161	24,899	10,822	216	58,25,778

STATEMENT No.

Statement showing the result of the trial of Original suits

Districts.	For disposal.								
	Remaining at close of previous year.	Re-instituted during the year (Sections 99, 108, 562, 623, Act XIV. of 1882).	Received by transfer from other Provinces during the year.	Instituted (Section 58, Act XIV. of 1882), during the year.	Total.	Transferred to other Provinces.	Plaint rejected or returned after institution.	Dismissed for default (Section 98, Act XIV. of 1882).	
								Number.	Percentage on total disposed of.
1	2	3	4	5	6	7	8	9	10
Nagpur ...	1,333	407	...	18,013	19,753	1	117	2,727	14·5
Chanda ...	264	61	...	4,628	4,953	...	6	666	14·2
Bhandara ...	457	249	...	5,780	6,486	...	14	985	16·4
Wardha ...	344	349	...	7,968	8,661	...	24	1,432	17·5
Balaghat ...	145	41	...	1,882	2,068	...	27	396	20·5
Jubbulpore ...	315	74	...	6,051	6,440	...	36	1,107	18·3
Saugor ...	132	53	...	3,325	3,510	...	16	362	10·7
Damoh ...	87	59	...	1,835	1,981	...	7	434	22·9
Seoni ...	140	11	...	1,615	1,766	...	22	247	14·6
Mandla ...	37	4	...	799	840	...	10	168	20·8
Hoshangabad ...	367	128	...	7,321	7,816	...	36	1,798	24·4
Betul ...	105	59	...	2,890	3,054	...	36	626	21·2
Narsinghpur ...	312	132	...	5,176	5,620	...	30	1,016	18·9
Chhindwara ...	168	47	...	3,576	3,791	..	20	674	18·7
Nimar ...	405	76	...	6,833	7,314	...	24	1,606	23·4
Raipur ...	505	127	...	5,891	6,523	...	53	1,083	17·8
Sambalpur ...	234	62	...	3,346	3,642	...	61	567	16·5
Bilaspur ...	257	35	...	3,745	4,037	...	35	813	21·4
Total ... 1882 ...	5,607	1,974	...	90,674	98,255	1	574	16,707	17·9
Total ... 1881 ...	4,473	1,673	...	88,230	94,376	...	508	16,407	18·5

III.

in the Districts of the Central Provinces, during the year 1882.

Withdrawn with leave (Section 373, Act XIV. of 1882).	Disposed of.												
	Compromised.		Decreed on confession in full of claim.		Decreed *ex parte*.					Contested and disposed of by.			
						Dismissed *ex parte*.		Total.		Judgment for plaintiff.			
										In whole of claim.		In part of claim.	
	Number.	Percentage on total disposed of.	Number.	Percentage on total disposed of.	Decreed.	Number.	Percentage of total *ex parte*.	Number.	Percentage on total disposed of.	Number.	Percentage on total contested.	Number.	Percentage on total contested.
11	12	13	14	15	16	17	18	19	20	21	22	23	24
379	2,264	12·0	5,005	26·5	3,779	104	2·7	3,883	20·6	2,145	47·8	1,301	29·0
108	416	8·8	1,590	33·8	976	35	3 5	1,011	21·5	460	50·8	239	26·4
103	604	10·1	1,585	26·4	1,212	123	9·2	1,335	22·3	556	40·6	529	38·6
166	832	10·2	1,567	19·1	1,747	23	1·3	1,770	21·6	899	37·4	1,059	44·1
26	169	8·8	508	26·4	265	40	13·1	305	15·8	190	38·3	171	34·5
50	797	13·1	1,304	21·5	682	21	3·0	703	11·6	778	37·6	564	27·2
32	704	20·8	862	25·5	415	11	2 6	426	12·6	428	43·7	304	31·1
14	369	19·5	343	18·1	210	5	2·3	215	11·3	239	46·5	125	24·3
16	302	17·9	317	18·7	113	22	16·3	135	8·0	176	26·9	297	45·5
12	162	20·1	142	17·6	91	5	5·2	96	11·9	71	32·8	73	33·6
63	927	12·6	1,183	16·1	1,143	76	6·2	1,219	16·5	863	40·3	626	29·2
24	425	14·4	662	22·5	333	8	2·3	341	11·6	299	35·9	283	34·0
31	396	7·4	1,378	25·6	829	14	1·7	843	15·7	734	43·7	506	30·1
29	424	11·8	902	25·1	581	39	6·3	620	17·2	404	43·5	254	27·4
42	471	6·9	1,636	23·9	1,136	94	7·6	1,230	17·9	861	46·9	453	24·6
83	1,122	18·4	1,213	19·9	906	108	10·6	1,014	16·7	494	32·6	536	35·4
48	369	10·8	1,001	29·2	299	21	6·5	320	9·3	389	36·6	351	33 0
14	726	19·2	697	18·4	396	48	10 8	444	11·7	336	31·6	392	36·9
1,240	11,479	12·3	21,895	23·6	15,113	797	5·0	15,910	17·1	10,325	41 0	8,063	32·1
1,147	11,082	12·5	21,790	24·5	13,779	697	4·3	14,476	16·3	9,725	41·6	7,729	33·1

STATEMENT No.

Districts.	Disposed of—Contd.					Pending.		
	Contested and disposed of by. Judgment for Defendant.		Total.					
	Number.	Percentage on total contested.	Number.	Percentage on total disposed of.	Total.	Total.	Over two and not over three months.	Over three months.
	25	26	27	28	29	30	31	32
Nagpur	1,043	23·2	4,489	23·8	18,865	888	14	2
Chanda	207	22·8	906	19·3	4,703	250	10	5
Bhandara	284	20·8	1,369	22·8	5,995	491	6	...
Wardha	445	18·5	2,403	29·3	8,194	467	22	9
Balaghat	135	27·2	496	25·7	1,927	141	2	...
Jubbulpore	728	35·2	2,070	34·1	6,067	373	9	...
Saugor	247	25·2	979	29·0	3,381	129	4	2
Damoh	150	29·2	514	27·1	1,896	85	2	1
Seoni	180	27·6	653	38·6	1,692	74	7	1
Mandla	73	33·6	217	26·9	807	33	6	...
Hoshangabad	655	30·5	2,144	29·1	7,370	446	4	3
Betul	251	30·1	833	28 3	2,947	107	1	...
Narsinghpur	439	26·2	1,679	31·3	5,373	247	13	11
Chhindwara	270	29·1	928	25·8	3,597	194	1	1
Nimar	524	28·5	1,841	26·9	6,850	464	7	1
Raipur	486	32·0	1,516	24·9	6,084	439	11	1
Sambalpur	323	30·4	1,063	31·0	3,429	213	5	...
Bilaspur	335	31·5	1,063	28·0	3,792	245	8	...
Total ... 1882 ...	6,775	26·9	25,163	27·1	92,969	5,286	132	37
Total ... 1881 ...	5,904	25·3	23,358	26·3	88,768	5,608	107	49

III.—Continued.

Average.				Number of suits disposed of.									
Durations of suits in days and tenths.		Number of hearings in suits disposed of.						In which reference was made to arbitrators.					
Contested.	Uncontested.	Contested.	Uncontested.	Instituted in *forma pauperis* (Section 410, Act XIV. of 1882).	In which commission issued for local investigation (Section 392, Act XIV. of 1882).	In which commission issued to investigate or adjust accounts (Section 394), Act XIV. of 1882.	In which commission issued to make a partition (Section 396, Act XIV. of 1882	Found for plaintiff.	Found for defendant.	In which any matter was decided on oath of party or witness.	In which any of those costs of a successful plaintiff which are not more than proportionate to the relief decreed are decreed against such plaintiff.	In which payment by instalments was decreed (Section 210, Act XIV. of 1882).	Remarks.
33	34	35	36	37	38	39	40	41	42	43	44	45	46
35·4	21·0	2 7	1·4	1	129	104	6	62	31	241	170	567	
41·8	29·9	3·2	2·0	...	2	14	...	9	3	19	123	295	
40·2	27·6	3·2	1·9	...	28	15	3	2	2	73	308	270	
40 4	28·7	3 1	1·9	5	57	45	...	11	...	108	161	367	
48 9	32·4	3·2	2 0	5	11	2	...	...	...	20	3	205	
28·4	18 7	2·2	1·4	...	53	8	1	7	1	38	160	263	
29 9	18 6	3·5	1 7	1	25	10	...	42	7	63	185	193	
33·2	24·3	2·9	2 1	...	7	2	...	3	1	16	70	119	
29·5	19.2	2·8	1·8	...	9	...	..	1	6	10	86	201	
27·0	21·8	3·2	2·2	...	1	1	...	3	...	13	11	35	
43·7	27·5	3·3	1·8	3	47	65	...	17	...	52	323	216	
26 9	18·8	3·2	1·9	...	31	5	...	9	6	39	24	114	
33·8	22 9	2·9	2 0	1	24	7	...	10	2	50	87	216	
25·9	18·2	2·2	1·5	...	23	5	...	9	...	23	76	408	
36·0	24 5	2·4	1·6	4	80	55	...	5	1	8	6	339	
47·8	30 3	3·4	2·0	...	57	23	...	9	...	53	27	282	
42 6	24·6	3·1	1·7	1	68	5	...	11	...	47	8	86	
39·6	29 6	3·6	2·1	3	57	12	...	6	2	49	19	172	
36·3	24·5	2·9	1·7	24	709	378	10	216	62	922	1,847	4,348	
39·5	25·1	3·0	1·9	21	618	387	1	187	43	610	2,369	4,933	

STATEMENT No. IV.

Statement showing the General Result of the trial of Civil Cases in the Courts of Original Jurisdiction in the Districts of the Central Provinces during the year 1882.

PART II.—Miscellaneous Cases (Judicial).

Districts.	Total number of cases before the Courts.	Number of cases disposed of.										Pending at the close of the year.	Number of cases pending more than three months at the close of the year.	Average duration of cases.		Remarks.
		Transferred to Courts in other Provinces.	Without trial.	Without contest.				On reference to arbitration.		With contest.						
				Compromised.	Decreed on confession.	Decreed ex parte.	Dismissed ex parte.	For plaintiff.	For defendant.	Judgment for plaintiff in whole or part.	Judgment for defendant.			Contested.	Uncontested.	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
Nagpur ..	1,639	3	506	43	226	173	43	11	8	368	249	9	...	27·8	14·5	
Chanda ..	406	...	101	22	75	46	12	1	1	68	40	40	...	28·3	20·2	
Bhandara ..	616	...	184	15	85	124	31	...	...	97	47	33	...	30·3	22·3	
Wardha ...	982	...	194	31	110	198	61	5	6	250	127	...	...	40·7	23·8	
Balaghat ..	237	...	64	4	29	48	18	...	...	40	21	13	...	19·9	15·9	
Jubbulpore ...	251	...	75	4	24	38	2	..	...	54	51	3	...	19·4	24·4	
Saugor ...	267	...	180	5	10	4	2	...	3	35	28	...	...	24·7	21·8	
Damoh ...	163	...	23	2	2	...	4	...	...	98	31	3	...	16·2	16·0	
Seoni ...	114	...	27	2	8	...	3	1	2	38	33	...	...	14·2	11·6	
Mandla ...	16	...	5	..	3	...	1	...	...	3	4	...	...	31·1	6·7	
Hoshangabad ...	518	...	132	16	44	71	42	3	7	111	89	3	...	16·6	13·4	
Betul ...	319	...	46	14	51	34	5	2	...	117	37	13	...	16·8	17·5	
Narsinghpur ...	256	...	37	6	26	16	3	2	1	98	64	3	...	23·8	17·6	
Chhindwara ...	211	...	71	6	35	12	13	...	...	33	26	15	...	23·8	16·4	
Nimar .	449	...	71	6	16	16	18	...	...	187	100	35	2	25·5	27·7	
Raipur ...	172	...	51	3	17	9	2	...	1	60	29	...	...	34·6	20·8	
Sambalpur ...	175	...	61	7	3	16	5	3	...	41	39	...	...	23·3	5·9	
Bilaspur ...	116	...	46	8	11	7	2	...	...	23	19	...	...	36·5	27·8	
Total for 1882 ...	6,907	3	1,874	194	775	812	267	28	29	1,721	1,034	170	2	26·7	18·2	
Total for 1881 ...	6,670	...	2,073	234	769	750	209	39	18	1,491	929	158	19	25·0	23·4	

STATEMENT No. V.

Statement showing the business of the Civil Appellate Courts of the Districts of the Central Provinces during the year 1882.

PART I.—Appeals from Decrees.

Courts.	For disposal.				Disposed of.												Pending.		No. of cases in which objections under s. 561, Act XIV of 1882, were		Average duration of each appeal tried.	Remarks.
							Heard *ex parte*.					Contested.										
							Confirmed.			Reversed.				Reversed.								
	Remaining at close of previous year.	Received by transfer from other Provinces.	Instituted or re admitted.	Total (column 17, plus 18).	Transferred to other Provinces.	Dismissed for default, or under Sections 556, 557, Act XIV of 1882	Without notice to respondent	After notice to respondent.	Modified.	Without remand under s 562, Act XIV of 1882	And remanded under s. 562, Act XIV of 1882	Confirmed.	Modified.	Without remand under s 562, Act XIV of 1882	And remanded under s. 562, Act XIV of 1882	Total.	Total.	Over three months.	Preferred.	Allowed (because successfully maintained.		
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23
Judicial Commissioner's Court...	148	...	441	589	...	7	243	6	1	12	4	71	20	68	29	461	128	34	...	...	101·9	
Commissioner, Nagpur Division.	26	...	123	149	...	8	8	...	3	1	...	53	13	13	12	111	38	1	2	2	88·1	
Do. Jubbulpore „	20	...	197	217	...	5	1	10	1	3	1	78	12	41	30	182	35	2	6	2	35·5	
Do. Nerbudda „	1	...	188	189	...	5	...	..	...	...	...	75	9	18	13	120	69	18	...	...	54·9	
Do. Chhattisgarh „	12	...	20	32	...	3	...	1	1	...	...	10	4	4	7	30	2	1	...	...	155·8	
Total in Courts of Commissioners	59	...	528	587	...	21	9	11	5	4	1	216	38	76	62	443	144	22	8	4	62·1	

STATEMENT No. V.—(Contd.)

Statement showing the business of the Civil Appellate Courts of the districts of the Central Provinces during the year 1882.

PART I.—Appeals from decrees.

Districts.	For disposal.				Disposed of.												Pending		Number of cases in which objection under Section 561 Act XIV of 1882 were.		Average duration of each appeal tried.	Remarks.
							Heard *ex parte*.					Contested.										
							Confirmed.			Reversed.				Reversed.								
	Remaining at close of previous year.	Received by transfer from other Provinces.	Instituted or re-admitted.	Total (Col. 17 plus 18.)	Transferred to other Provinces.	Dismissed for default, or under Sections 556, 557, Act XIV of 1882.	Without notice to respondent.	After notice to respondent.	Modified.	Without remand under S. 562, Act XIV of 1882.	And remanded under S. 562, Act XIV. of 1882.	Confirmed.	Modified.	Without remand under S. 562, Act XIV. of 1882.	And remanded under S. 562, Act XIV of 1882.	Total.	Total.	Over three months.	Preferred.	Allowed (because successfully maintained.)		
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23
Nagpur ...	46	...	394	440		22	19	8	5	5	...	202	31	87	21	400	40	...	...	...	38·8	
Chanda ...	3	...	91	94...		7	42	...	...	...	..	14	11	6	5	85	9	..	...	...	26·4	
Bhandara ...	18	...	190	208...		10	1	6	7	4	...	74	21	25	14	162	46	12	...	...	52·7	
Wardha ...	23	...	361	384..		24	...	5	...	1	1	147	22	78	15	293	91	...	7	7	42·8	
Balaghat ...	5	...	70	75...		2	...	6	...	1	...	42	4	11	3	69	6	1	...	...	33 0	
Jubbulpore ...	7	...	148	155...		11	...	8	..	3	...	69	6	21	31	149	6	...	...	...	33·2	
Saugor ...	4	...	144	148		4	1	6	2	3	2	74	11	24	15	142	6	..	...	2	25·6	
Damoh ...	2	...	46	48...		3	...	...	...	...	...	6	2	33	3	47	1	...	...	...	24·3	
Seoni ...	5	...	89	94...		5	37	...	...	...	...	20	11	14	3	90	4	...	...	...	20 0	
Mandla ...	2	...	14	16...		1	2	...	...	...	...	9	...	3	1	16	...	...	...	...	64·7	
Hoshangabad ...	36	...	348	384...		34	127	8	5	5	2	111	22	21	10	345	39	...	...	...	27·7	
Betul ...	20	...	150	170...		14	...	3	...	...	...	88	22	20	4	151	19	...	...	...	31·2	
Narsinghpur ...	9	...	296	305 ..		16	8	23	2	3	9	135	34	16	42	288	17	2	...	...	22·7	
Chhindwara ...	5	...	180	185...		7	2	5	2	8	...	81	17	50	4	176	9	...	...	...	23·6	
Nimar ...	12	...	211	223...		20	...	9	2	1	1	126	6	23	16	204	19	...	...	...	26·1	
Raipur ...	21	...	344	365...		21	5	27	2	9	6	162	27	46	37	342	23	...	...	...	29·9	
Sambalpur ...	27	...	274	301...		17	99	2	6	33	41	16	5	42	6	267	34	...	...	...	51·1	
Bilaspur ...	16	...	124	140...		13	1	5	...	1	.	81	8	19	2	130	10	...	1	1	32·2	
Total 1882 { Districts ...	261	...	3,474	3,735...		231	344	121	33	77	62	1,457	260	539	232	3,356	379	15	8	10	33·3	
Total 1882 { All Courts ...	468	...	4,443	4,911...		259	596	138	39	93	67	1,744	318	683	323	4,260	651	71	16	14	43·7	
Total 1881 All Courts...	417	...	4,088	4,505...		256	389	150	33	60	33	1,774	331	683	314	4,023	482	31	12	5	64·6	

STATEMENT No. VI.

Statement showing the business of the Civil Appellate Courts of the Districts of the Central Provinces during the year 1882.

PART II.—Miscellaneous Appeals (Judicial).

Courts.	Total number of appeals before the Court.	Transferred to Courts in other Provinces.	Appeals summarily rejected.	Dismissed for default or otherwise not prosecuted.	Heard *ex parte*.				Contested.				Pending.	Of these pending more than three months.	Average duration of appeals.	Objection under S. 561, Act XIV of 1882.	Remarks.
					Confirmed.	Modified.	Reversed.	Remanded.	Confirmed.	Modified.	Reversed.	Remanded.					
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Judicial Commissioner's Court ...	31	...	...	...	14	...	1	...	3	...	2	1	10	6	71·0	...	
Commissioner, Nagpur Division...	8	...	...	...	...	...	...	...	4	...	1	...	3	...	81·8	...	
Do. Jubbulpore „ ...	30	...	...	5	5	...	6	...	3	...	10	...	1	...	23·0	...	
Do. Nerbudda „ ...	11	...	...	...	...	...	1	..	...	...	6	...	4	1	41·8	...	
Do. Chhattisgarh „ ...	7	...	...	...	...	...	...	...	3	...	...	3	1	...	144·0	...	
Total in Courts of Commissioners .	56	...	...	5	5	...	7	...	10	...	17	3	9	1	47·5	...	

STATEMENT No. VI.—(Contd.)

Statement showing the business of the Civil Appellate Courts of the districts of the Central Provinces during the year 1882.

PART II.—Miscellaneous Appeals (Judicial.)

Districts.	Total number of appeals before the Court.	Transferred to Courts in other Provinces.	Appeals summarily rejected.	Dismissed for default or otherwise not prosecuted.	Heard *ex parte*.				Contested.				Pending.	Of these pending more than three months.	Average duration of appeals.	Objection under Section 561, Act XIV. of 1882.	Remarks.
					Confirmed.	Modified.	Reversed.	Remanded.	Confirmed.	Modified.	Reversed.	Remanded.					
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Nagpur	19	...	7	3	...	...	..	1	3	...	4	1	...	...	16·0	...	
Chanda	5	...	...	...	4	..	...	1	...	...	...	...	...	...	14·8	...	
Bhandara	10	...	...	1	...	...	...	1	3	...	4	...	1	...	28·2	...	
Wardha	22	...	...	1	...	...	...	...	8	1	5	2	5	...	33·6	...	
Balaghat	1	...	...	...	...	...	...	...	...	...	...	...	1	...	...	...	
Jubbulpore	5	...	...	1	...	...	...	...	1	1	1	1	...	...	37·0	...	
Saugor	5	...	...	...	...	...	...	...	3	...	2	...	...	...	28·8	...	
Damoh	1	...	...	...	...	...	...	...	...	...	...	1	...	...	20·0	...	
Seoni	..	...	...	...	...	...	...	...	...	...	...	...	...	...	..	...	
Mandla	...	...	...	...	...	...	...	...	..	...	...	...	...	...	...	...	
Hoshangabad	16	...	4	2	2	...	...	...	1	...	2	1	4	...	21·0	...	
Betul	2	...	1	...	...	...	...	...	...	...	...	1	...	...	23·5	...	
Narsinghpur	16	...	...	3	...	...	1	2	2	...	5	1	2	...	15·5	..	
Chhindwara	15	...	1	...	2	...	2	...	2	...	7	1	...	...	15·0	...	
Nimar	12	...	...	3	...	...	...	1	6	...	1	1	...	...	19·2	...	
Raipur	15	...	...	1	3	...	1	...	8	...	1	1	...	...	28·3	...	
Sambalpur	8	...	...	4	2	...	1	...	...	...	...	1	...	...	29·2	...	
Bilaspur	2	...	...	...	1	...	1	...	...	...	...	...	...	...	22·5	...	
Total for 1882... District ...	154	...	13	19	14	...	6	6	37	2	32	12	13	...	22·9	...	
Total for 1882... All Courts ...	241	...	13	24	33	...	14	6	50	2	51	16	32	7	33·2	...	
Total for 1881... All Courts ...	238	...	26	15	50	1	21	5	43	4	39	20	14	...	64·0	...	

STATEMENT No. VII.

Statement showing the result of proceedings on applications for the execution of the decrees of the Civil Courts in the Districts of the Central Provinces during the year 1882.

Districts.	Total number of applications for the execution of decrees before the Courts.	Applications disposed of.				Pending at the end of the year.	Number of applications pending more than three months at the close of the year.	Amount realized.		Number of applications.												
		By transfer.	Satisfaction obtained in full.	Satisfaction obtained in part.	Wholly infructuous.			With the issue of process.	Without the issue of process.	On which the judgment debtor was imprisoned.	On which he was arrested, but released without imprisonment.	On which moveable property.		On which immoveable property.			On which possession was given		On which specific performance was enforced.	On which partition was effected.	On which execution was effected otherwise than as in the preceding columns.	Remarks.
												Was sold.	Was attached, but subsequently released.	Was sold.	Was dealt with under Secs. 305, 322 or 326, Act XIV of 1882.	Was attached, but subsequently released under Section 275.	Of moveables.	Of immoveables.				
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23
								Rs.	Rs.													
Nagpur ...	18,599	1,056	3,373	2,981	7,248	3,961	137	1,94,648	1,184	128	339	1,081	873	745	66	827	13	160	...	7	...	
Chanda ...	2,995	74	905	641	960	415	52	22,165	2,650	41	143	363	463	194	1	252	1	8	..	1	324	
Bhandara ..	3,624	69	1,002	780	1,252	521	48	48,609	316	20	38	507	452	193	18	220	3	33	1	...	...	
Wardha ...	5,852	257	1,234	938	2,773	650	111	35,155	30,493	60	152	324	314	333	29	429	10	80	1	.	..	
Balaghat ...	1,287	6	354	271	456	200	18	53,263	891	9	17	170	227	49	...	59	5	19	3	.	...	
Jubbulpore ...	3,112	149	888	757	1,038	280	37	63,239	37,040	100	179	175	126	78	7	70	15	129	...	.	...	
Saugor ...	2,109	25	586	546	724	228	43	41,729	6,494	19	39	133	203	118	25	151	2	68	..	...	...	
Damoh ..	716	...	277	192	181	66	11	15,745	1,835	2	17	47	48	67	5	48	...	48	...	...	...	
Seoni ...	1,030	...	339	306	304	81	15	25,710	145	8	60	118	108	56	8	63	11	19	...	..	..	
Mandla ...	361	6	96	69	92	38	2	8,434	2	4	11	24	27	12	3	26	2	6	...	...	...	
Hoshangabad ...	4,982	50	1,221	1,159	2,029	523	69	1,90,925	6,666	50	186	236	506	211	40	375	15	132	2	.	. .	
Betul ...	1,727	16	386	389	761	175	11	5,429	15,557	8	24	148	266	93	1	228	8	42	1	.	6	
Narsinghpur ...	3,943	...	798	1,108	1,628	409	58	425	18	14	49	313	628	347	28	698	18	128	10	1	8	
Chhindwara ...	2,605	...	622	757	1,002	224	20	35,201	2,798	41	150	307	285	221	6	285	5	28	..	.	...	
Nimar ...	5,696	5	1,760	841	2,668	422	43	90,198	277	11	168	192	313	156	...	253	4	42	5	.	...	
Raipur ...	3,789	16	999	655	1,598	521	1	33,360	18,718	16	134	354	316	85	2	104	2	69	...	14	...	
Sambalpur ...	1,495	27	647	236	408	177	9	21,260	985	7	113	190	310	8	1	38	12	91	...	...	...	
Bilaspur ...	1,645	9	643	294	499	200	9	720	86	19	100	187	215	57	6	30	6	32	1	4	1	
Total ... 1882 ...	65,507	1,745	16,130	12,920	25,621	9,091	694	8,86,215	1,26,155	557	1,919	4,869	5,674	3,026	246	4,156	132	1,134	24	27	339	
1881 ...	56,012	1,090	14,719	12,158	21,656	6,389	758	8,26,327	1,07,984	583	1,909	4,786	5,609	2,992	285	3,944	130	953	36	2	430	

STATEMENT

Statement showing (1) the fees levied for, and (2) the charges incurred in, the service and
tral Provinces during

Districts.		(1) Fees levied. In separate detail for each Court. On processes directed to be served by European bailiff (Special Rule 1) At Rs. 2 rate	At Rs. 1 rate.	On other processes issued. At Rs. 1 rate.	At As. 8 rate.	At As. 4 rate.	For assisting in distraint (Special Rule III.)	Additional fees. Under special Rule IV	Under special Rule V.	Grand total of fees levied (columns 2 to 9)
1		2	3	4	5	6	7	8	9	10
		Rs.	Rs.	Rs.	Rs. a	Rs. a.	Rs.	Rs a.	Rs. a.	Rs. a.
Nagpur ...	Civil	42	192	6,180	5,523 8	17,459 0	...	140 12	3 12	29,541 0
	Revenue	...	...	38	139 0	566 8	...	1 12	.....	745 4
Chanda ...	Civil	...	...	1,569	1,906 8	4,105 0	...	7 8	34 8	7,622 8
	Revenue	...	...	45	54 0	120 4	...	.....	.....	219 4
Bhandara ...	Civil	...	...	890	2,311 0	5,238 8	...	14 4	.....	8,453 12
	Revenue	...	...	...	...	...	...	.....	.....	...
Wardha ...	Civil	...	...	3,910	2,031 8	7,790 0	...	138 0	3 12	13,873 4
	Revenue	...	..	125	67 8	593 4	...	4 0	.....	789 12
Balaghat ...	Civil	...	...	261	819 0	1,824 4	...	3 3	.....	2,907 7
	Revenue	...	...	12	38 8	92 12	...	.....	.....	143 4
Jubulpore ...	Civil	66	93	2,406	1,064 0	5,674 4	...	58 8	12 12	9,374 8
	Revenue	...	...	206	80 8	835 8	...	3 4	.....	1,125 4
Saugor ...	Civil	...	...	666	1,123 8	3,701 4	...	106 0	10 12	5,607 8
	Revenue	...	...	51	66 0	277 4	...	3 4	.....	397 8
Damoh ...	Civil	...	...	233	392 0	1,670 8	..	21 8	.....	2,317 0
	Revenue	...	...	37	22 0	163 4	...	6	.....	228 4
Seoni ...	Civil	...	...	461	478 8	1,426 8	...	.....	.....	2,366 0
	Revenue	...	...	93	60 0	284 8	...	.....	.....	437 8
Mandla ..	Civil	...	...	97	140 8	497 4	...	2 0	1 0	737 12
	Revenue	...	...	35	23 8	73 8	...	.....	.....	132 0
Hoshangabad ...	Civil	...	...	2,738	2,129 0	6,798 8	...	344 12	.....	12,010 4
	Revenue	..	...	143	154 8	409 4	34	31 0	.....	771 12
Betul ...	Civil	...	..	358	1,056 8	2,457 8	...	55 8	.....	4,527 8
	Revenue	...	...	49	77 0	161 0	...	12 4	.....	299 4
Narsinghpur ...	Civil	...		889	2,911 8	4,843 0	...	16 2	8 8	8,668 2
	Revenue	...	...	67	119 8	482 12	...	.....	.....	669 4
Chhindwara ...	Civil	...	...	1,018	1,412 0	4,016 4	...	41 0	.....	6,487 4
	Revenue	...	...	41	107 0	320 8	...	3 0	.....	474 8
Nimar ...	Civil	...	..	1,845	1,912 8	5,999 8	—	52 4	1 0	9,810 4
	Revenue	...	...	33	16 0	91 12	...	4 0	2 0	146 12
Raipur ...	Civil	...	...	1,027	1,691 0	4,505 8	...	.....	.....	7,223 8
	Revenue	...	...	93	119 0	351 8	...	.....	.....	563 8
Sambalpur ...	Civil	...	...	889	960 0	2,332 12	...	10 0	.....	4,191 12
	Revenue	...	...	65	77 0	298 4	...	.....	.....	440 4
Bilaspur ...	Civil	...	...	476	761 0	2,351 0	...	5 12	.....	3,593 12
	Revenue	...	...	127	157 0	479 4	..	3 8	.....	766 12
Total ...	Civil	108	285	25,913	29,223 8	82,690 8	...	1,017 1	76 0	1,39,313 1
	Revenue	...	..	1,263	1,378 0	5,601 0	34	72 0	2 0	8,350 0
Grand Total ...		108	285	27,176	30,601 8	88,291 8	34	1,089 1	78 0	1,47,663 1

No. VIII.

execution of processes issued out of the Civil and Revenue Courts in the Districts of the Cen the year 1882.

(2) Charges.												
In separate detail for each Court or set of Courts having a joint establishment.									Collectively for the District.			Remarks
Naib Nazirs.		Peons.							Contingencies.		Grand total of all charges (Columns 12, 13, 15, 17, 19, and 21.)	(1) Number of processes re-issued without charge, Special Rule VI.
			1st Class at Rs. 10		2nd Class at Rs. 8		3rd Class at Rs. 6					
Numbers.	Total salary.	Salary of European bailiff.	Number on last day.	Total salary.	Number on last day.	Total salary.	Number on last day.	Total salary.	Heads of charges e g process forms, registers, other Stationery, official postage, servers' badges, furniture &c.	Charges under each head.		
11	12	13	14	15	16	17	18	19	20	21	22	23
	Rs.	Rs.	Rs.	Rs.	No.	Rs.	No.	Rs.		Rs.	Rs.	
11	2,280	720	13	1,558	12	1,140	106	7,789		246	13,733	250
2	371	...	1	119	4	373	25	1,797		13	2,673	115
2	360	...	3	351	3	287	34	2,286		35	3,319	17
5	885	...	3	352	4	378	39	2,621		130	4,376	68
1	180	...	1	120	1	89	13	877		84	1,350	...
3	396	720	6	684	4	378	36	2,406		222	4,806	196
4	737	...	3	292	4	358	40	2,618		189	4,194	26
2	420	...	2	237	...	...	11	1,090		11	1,758	243
1	170	..	3	297	1	87	16	1,084		7	1,645	...
...	...	...	1	91	...	...	10	616		1	708	91
4	780	...	9	1,008	2	133	40	2,882		...	4,803	...
2	427	...	2	220	1	80	22	1,340		40	2,107	...
3	600	...	4	476	5	450	35	2,415		72	4,013	251
2	420	...	4	510	3	278	20	1,834		35	3,077	...
2	420	...	6	720	1	96	24	1,847		18	3,101	...
3	599	...	2	240	3	286	38	2,537		...	3,662	...
2	419	...	2	240	2	184	14	1,261		5	2,109	...
2	368	...	2	240	2	186	27	1,811		...	3,595	609
50	9,832	1,440	67	7,755	52	4,783	550	39,111		1,108	64,029	

STATEMENT No. IX.

PROCEEDINGS IN INSOLVENCY UNDER CHAPTER XX., ACT XIV OF 1882, IN THE DISTRICTS OF THE CENTRAL PROVINCES DURING THE YEAR 1882.

Part I.—Showing the number and result of applications under Section 344, and the number of insolvents before the Court.

DISTRICTS.	Applications for a declaration of insolvency.															Persons declared to be insolvents.									REMARKS.
	Number of applications dealt with.						Applications disposed of.									Number of insolvents before the Court.				Disposed of					
		Filed during the year							Granted.		Rejected.											Discharged.			
		By Judgment debtors.																							
	Pending at the close of the previous year.	Under arrest or imprisonment.	Not under arrest or imprisonment.	By decree holders.	Received by transfer.	Total.	Transferred.	Withdrawn or otherwise not prosecuted.	A receiver being appointed.	A receiver not being appointed.	Penal Proceedings under Section 359 not being taken.	Sentence of imprisonment being passed under Section 359	Applicant being sent to the Magistrate to be dealt with	Total.	Pending at the close of the year.	Remaining at the close of the previous year.	Declared to be insolvents during the year.	Received by transfer	Total.	Transferred.	Died.	Under Section 351.	Under Section 355	Remaining at the close of the year.	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26
Nagpur ...	3	51	3	...	...	57	...	11	9	7	18	1	..	46	11	8	17	...	25	..	..	7	5	13	
Chanda ...	...	2	3	...	...	5	...	1	2	...	...	..	..	3	2	...	4	...	4	..	..	2	..	2	
Bhandara ...	...	6	...	...	...	6	...	6	...	...	...	...	..	6	..	...	...	...	...	..	..	..	..	...	
Wardha ...	8	2	21	...	...	31	...	7	...	9	10	...	..	26	5	...	9	...	9	..	..	9	..	...	
Balaghat ...	...	...	...	...	...	...	...	...	...	...	...	...	..	..	..	...	..	..	...	..	..	..	..	...	
Jubbulpore ...	...	25	2	...	...	27	...	19	1	1	3	...	..	24	3	...	2	...	2	..	..	1	1	...	
Saugor ..	...	...	...	...	...	...	...	...	...	...	...	...	..	..	..	...	..	...	..	..	..	..	..	...	
Damoh ...	...	1	...	...	...	1	...	...	...	...	...	...	..	..	1	...	1	..	1	..	..	..	..	1	
Seoni ...	...	1	...	...	...	1	...	1	...	...	...	...	..	1	..	...	...	...	...	..	..	..	..	...	
Mandla ...	...	1	...	...	...	1	...	..	1	...	...	...	..	1	.	...	1	..	1	..	..	1	..	...	
Hoshangabad ...	...	13	...	...	...	13	...	11	...	1	...	...	..	12	1	...	1	..	1	..	..	1	..	...	
Betul ...	1	...	2	...	...	3	...	2	...	...	1	...	..	3	..	..	...	...	...	..	..	..	...	...	
Narsinghpur ...	...	...	...	...	...	...	...	...	...	...	...	...	..	...	..	...	...	...	...	..	..	..	..	...	
Chhindwara ...	...	3	...	2	...	5	..	2	1	2	...	...	..	5	..	...	2	...	2	..	..	2	...	...	
Nimar ...	2	8	...	...	...	10	...	5	...	3	2	...	..	10	...	...	5	...	5	..	..	5	..	...	
Raipur ..	1	3	...	...	...	4	...	...	...	4	...	..	..	4	..	...	4	...	4	..	..	4	.	...	
Sambalpur ...	3	4	...	...	...	7	...	2	...	4	1	..	..	7	..	3	4	...	*7	..	.	4	..	...	* Of these three were rejected.
Bilaspur ...	...	5	...	...	...	5	...	4	...	1	...	..	..	5	..	...	1	...	1	.	..	1	..	...	
Total 1882	18	125	31	2	...	176	...	71	14	32	35	1	..	153	23	11	51	...	62	..	..	37	6	16	
Total 1881	35	140	19	...	...	194	...	62	34	24	55	..	1	176	18	...	64	...	64	..	..	26	26	12	

STATEMENT No. IX.—(Continued.)

Part II.—Showing the number of estates in the hands of receivers and the progress made in winding up.

Districts.	Number of insolvents' estates in the hands of receivers.				Amount of creditors' claims dealt with during the year.					Amount of insolvents' assets realized and outstanding.				Remarks.
	Pending at the close of the previous year.	Placed in charge of a receiver during the year.	Number of estates in regard to which proceedings were finally closed during the year.	Pending at the close of the year.	Unsatisfied and pending at the close of previous year.	Admitted.	Disallowed.	Satisfied.	Unsatisfied and pending at the close of the year.	Amount of realized assets in the hands of receivers at the close of the previous year.	Gross amount realized during the year.	Total amount of disbursements.	Amount remaining in the hands of receivers at the close of the year.	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Nagpur	8	10	5	13	1,63,927	4 383	1,440	15,862	1,52,448	891	15,563	15,862	592	
Chanda	...	...	...	...	...	395	...	...	395	...	5	..	5	
Bhandara	...	...	...	...	...	...	...	...	...	...	...	...	...	
Wardha	...	...	...	...	...	...	...	...	...	...	...	...	...	
Balaghat	...	...	...	...	...	...	...	...	...	...	...	..	...	
Jubbulpore	4	1	2	3	5,435	2,813	..	5,127	3,121	5,265	390	5,597	58	
Saugor	...	...	...	...	...	...	...	...	..	...	...	...	...	
Damoh	...	...	...	...	...	...	...	..	...	...	...	...	...	
Seoni	...	...	...	...	...	...	...	...	...	..	...	...	...	
Mandla	...	1	1	...	...	1,420	203	11	1,409	...	11	11	...	
Hoshangabad	...	...	...	...	...	...	...	...	...	...	...	...	...	
Betul	...	...	...	...	...	...	...	...	...	...	...	...	...	
Narsinghpur	...	...	...	...	...	...	...	...	...	...	...	...	...	
Chhindwara	...	1	...	...	...	20	...	...	202	...	...	...	...	
Nimar	...	...	...	...	...	...	...	..	...	...	...	...	...	
Raipur	...	...	...	...	...	...	...	...	...	...	...	...	...	
Sambalpur	...	...	...	..	...	...	...	...	...	...	...	...	...	
Bilaspur	..	...	...	...	...	...	...	...	...	...	...	...	...	
Total .. 1882...	12	13	8	16	1,69,362	9,213	1,643	21,000	1,57,575	6,156	15,969	21,470	655	
Total .. 1881...	8	34	30	12	57,409	119,869	51,064	7,481	1,69,797	...	13,652	7,496	6,156	

No $\frac{1965}{65}$

FROM

LINDSAY NEILL, ESQUIRE, C. S.,

SECRETARY TO THE CHIEF COMMISSIONER,

Central Provinces.

TO

THE REGISTRAR,

JUDICIAL COMMISSIONER'S COURT,

Central Provinces.

Dated Nagpur, the 19th April 1884.

SIR,

I am directed to acknowledge the receipt of the Annual Report on the Judicial Administration (Civil) of the Central Provinces for the year 1883. The returns show no abnormal or extraordinary statistics. There have been some fluctuations in the institution of suits, but as there has been no disturbing cause at work the variations are local only.

2. Suits instituted (and re-instituted) numbered 89,470 in 1883, against 92,648 in 1882, giving a decline of 3,178.

The general tendency of litigation to expand in consequence of the growing prosperity of the Province, the accumulation of capital and the multiplication of transactions has been frequently noticed, and, though suits are fewer than they were in 1880, 1881 and 1882, there is no reason to suppose that litigation has reached its highest point and will now recede.

3. You appear to be not quite correct in saying in para. 5 that the decrease was marked in the districts of Nagpur, Chanda, Bhandara and Wardha, while in the rest it was insignificant, and that "the total decrease is therefore "localised in the Nagpur Division." As a matter of fact the figures show an increase in 10 districts and a decrease in 8. They are—

Increase.	No. of suits.	Decrease.	No. of suits.
1 Balaghat ...	91	1 Nagpur ...	1,634
2 Saugor ...	977	2 Chanda ...	789
3 Seoni ...	196	3 Bhandara ...	930
4 Damoh ...	445	4 Wardha ...	1,499
5 Mandla ...	155	5 Jubbulpore ...	260
6 Hoshangabad ...	138	6 Betul ...	711
7 Nimar ...	73	7 Raipur ...	96
8 Narsinghpur ...	220	8 Bilaspur ...	66
9 Chhindwara ...	73		—5,985
10 Sambalpur ...	439		
	—2,807		Difference 3,178

In the Nagpur district the decrease has principally occurred in the petty litigation in the City Court of Small Causes, and as the tendency of suits to decline in number in this Court has for some years been continuous, the explanation suggested, viz, that easy times enabled lenders and borrowers to keep away from the Court, is sufficiently plausible. With regard to the districts of Bhandara, Chanda and Wardha, good seasons are also advanced as accounting for the decrease. They probably have had some such effect, but it is noticed that in the Judicial Commissioner's Report for 1882 (para. 8) the increase of litigation in these three districts was characterised as "*somewhat remarkable*," and it seems not improbable that the present year's figures are more normal. In Bhandara it would also seem that arrange-

ments for the disposal of work were not good. In paragraph 17 of the report, where the subject of durations is discussed, mention is made that the long durations in this district were to be in part ascribed to transfers and illness among presiding officers, and probably these same causes had some influence on institutions.

4. The very considerable fall in litigation in the Betul district, though not noticed in paragraph 5 is referred to in paragraph 9. Suits diminished by nearly 25 per cent, and the decrease in Betul is numerically nearly as large and proportionately much larger than the decrease in Chanda. It is explained in paragraph 9 that the Betul tahsili was practically closed for some time, and that the people ceased filing their plaints. It is to be regretted that better arrangements were not made, as some inconvenience was undoubtedly caused to litigants.

Before passing from paragraph 5, it may be observed that some slight errors appear to have crept in. There was an increase of suits, not a decrease in the Saoner Tahsili Court. The decrease was at Umrer. There was also no decrease but a slight rise in Nimar, and the decrease referred to probably relates to suits of some particular character or value or to some particular Court.

5. The districts which show considerable increase in the number of suits are Saugor, Damoh and Sambalpur. From the first two districts no proper explanations are forthcoming, while for Sambalpur it is reported that growing trade and the settlement of disputes relating to trespass &c. have contributed to the increase. Some years ago the Criminal Courts were greatly resorted to by persons with complaints of criminal trespass, who asserted that their lands had been encroached on, and it is more satisfactory in every way that disputes of this nature should be finally adjudicated on in the Civil Courts.

6. Though growth of trade and increasing commercial activity will always swell the civil litigation of each year, the general character and value of the suits show that the influences of general trade transactions are still very slight. There is truth in your remark (paragraph 6) that

> "in discussing the annual increase and decrease what is in reality being discussed is the increase and decrease in the number of suits of small value, and this increase or decrease is no doubt connected with the indebtedness of the poorer classes and the means they have of meeting it."

7. Though there has been no material change in the value of the suits which came before the Courts for adjudication, the statistics of the last 4 years are not without some slight interest. They are :

in 1880, 78 per cent were for sums less than Rs. 50 and 90 per cent for sums less than Rs. 100.
„ 1881, the percentages were 77 and 89.
„ 1882, „ „ 77 and 90.
„ 1883, „ „ 76 and 88.

The decrease, both relative and absolute, in suits below 50 rupees, and the rise of percentage in suits above Rs.100 in value appear to confirm the view that abundant harvests and easy times have enabled the class of small debtors to settle their accounts without extreme difficulty and to escape being harassed by the action of the Courts.

As might be expected the districts which show the largest percentages of suits below Rs.10 in value are the three large districts in the east of the Province, Raipur, Bilaspur, and Sambalpur, and Mandla in the north. Though much has been done in opening out Raipur and Bilaspur, all these districts have large and backward tracts where transactions are on a very small scale.

8. Only 4,431 suits were connected with immoveable property, the proportion to the total number of suits being 4·9; out of these 4,431 suits, 547 were instituted in Nagpur, 616 in Jubbulpore, 478 in Hoshangabad, 491 in Narsinghpur,

363 in Raipur, and 288 in Sambalpur. In these districts land disputes appear to occupy a more prominent position in relation to the district litigation than elsewhere. Much of this litigation however is probably connected with house properly in towns, though this would not appear to be the case in the district of Raipur, where as many as 246 were brought by landlords against cultivators for possession of land encroached on by them. It is inferred that the reasons of disputes of this class being so numerous in Raipur is that the settlement records are imperfect or inaccurate; but while this assumption *may* be correct, it is well to remember that land has, owing to the opening out of the Railway, greatly risen in value in Raipur, and that its ownership being greatly coveted it is natural that cases connected therewith should be fought out in Courts. Table G. professes to show classified details of all suits in Table E, but in E. 89,471 suits are shown, whereas G. only supplies details of 79,528. The discrepancy requires explanation.

9. The 88,219 original suits disposed of during the year were distributed among the various grades of Courts, as follows:—

Small Cause Courts	10,734 or 12·2	per cent.
Naib-Tahsildars	42,027 or 47·6	„
Tahsildars	24,882 or 28·2	„
Assistant Commissioners ...	10,354 or 11·7	„
Deputy Commissioners ...	222 or ·3	„

Every year sees a larger proportion of the civil business undertaken by Naib-Tahsildars. In 1876 they took up only 28·3 per cent of the year's work; now they have taken up nearly a half of the whole business. Of course the number of Naib-Tahsildars has been correspondingly augmented. In 1876 they numbered 23, they now are 39. The main reason which has influenced the Administration in entrusting so much civil work to Naib-Tahsildars is economy, and the class of cases which comes before them is, as a rule, so simple that the issues hardly go beyond the question of execution of a bond or payment. It may be added also that a large percentage of the cases are uncontested.

10. The statistics as to the disposal of suits may be summarized as follows:—63,649 or 72·2 were disposed of without contest, and of these 19,972 or 22·6 per cent were decreed on confession; 16,686 or 18·9 were dismissed for default; 10,683 or 12·2 were compromised; 14,435 or 16·4 were decreed *ex parte*; 1,066 or 1·2 were withdrawn with leave, and 807 or ·9 were dismissed *ex parte*.

23,999 cases or 27·2 were decided after contest. The proportion of contested cases differs considerably in different districts and also between different Courts in the same district, and the same remark applies to the proportion of cases shown to have been decided in other ways.

In paragraphs 10—12 the Judicial Commissioner has said all that it seems necessary to say regarding the disposal of suits.

On this subject the Commissioner of Nagpur remarks:—

> "A comparison of the figures relating to Courts of similar grades and in which the litigation must apparently be of a very similar character leads to the conclusion that the proportion of contested suits depends a good deal on the action of the presiding officer. There is no doubt that a careful conscientious officer will ordinarily show a higher proportion of contested cases than a superficial one, and therefore a low percentage of such suits is *primâ facie* an unfavorable sign."

Guarded, as the Commissioner's language is, it would be dangerous to stamp with approval so broad a principle. Much must always depend on the values of suits, for, as pointed out by the Judicial Commissioner, it is in the higher values that there is most dispute. A very large proportion of the suits brought for small sums are lodged, not because the defendant denies the claim, but because the plaintiff wishes to avoid being barred by limitation and wants to secure himself by a decree.

What the Commissioner means is probably what is also referred to in paragraph 12 of the Judicial Commissioner's report in noticing the remarks of the Deputy Commissioner of Nimar regarding decrees on confession passed in Nimar. There is generally some point in dispute, and a conscientious Judge will, as a rule, take pains to discover it and put it in issue, while a more careless officer will rest satisfied that some money is due and treat a partial admission as a confession for the total claimed.

11. Cases referred to arbitration were only 152 against 278 in 1882. No doubt can exist that parties never are eager to have their cases decided in this way, and some pressure is generally required before they assent to it. In special cases, *e. g.*, affecting caste inheritance, &c., some little pressure may perhaps without great objection be exercised, but even in such cases it will generally be found that private settlement of the matter in dispute by means of arbitrators has already been tried and has failed. The decrease in this kind of disposal is accordingly occasion for no regret.

That commissions for local enquiry and for the examination of accounts have diminished is also a satisfactory feature. The Judicial Commissioner has within the past few years exercised special control to prevent Judges throwing upon commissioners the duty of virtually deciding cases, and this control has borne fruit.

In the matter of instalments too, better discretion seems now exercised, and it is difficult to conceive how Judges can go seriously wrong if they carefully record the reasons which influence them in passing decrees of this kind prior to intimating the decision to parties.

Some interest attaches to this point, because the Deputy Commissioner of Nimar apparently holds the opinion that agriculturists as a class would benefit if payment by instalments were more frequently decreed. The matter is not put very exhaustively, but the Judicial Commissioner's conclusion recorded at the end of paragraph 16 seems unquestionable.

12. The durations of cases are rather higher than in the preceding year. On an average each uncontested case took 27 days, and each contested case 42 days for disposal, the average number of hearings being 3·1 in contested and 1·8 in uncontested cases. In several instances faulty procedure appears to be the cause of prolonged durations, and the Judicial Commissioner seems to think that the Judges of some Courts exhibited undue deference to Pleaders and Agents and unnecessarily postponed cases for their convenience. An allusion is made to the Evidence Act as giving the Courts power to prevent incompetency and carelessness on the part of parties and their agents; and it is clear that if Judges make parties and Pleaders give such evidence only as is admissible and relevant, matters will be brought into a comparatively small compass, and valuable time now wasted by recording irrelevant statements will be saved. The most fertile causes of long durations are without doubt want of method and care in framing the Cause List and making adjournments, and a disposition to accept trivial pretexts and on them put off cases for hearing to another day. Laxity in these respects can only be checked by periodical inspections of the pending cases in Courts which show long durations and a large number of hearings. The Chief Commissioner expects that Deputy Commissioners will exercise a vigilant supervision over the conduct of cases in the Subordinate Courts in this as in other matters.

13. Appeals to Deputy Commissioners from decrees numbered 3,621; from orders 175. Table Q. shows that 3,061 regular appeals were so disposed of. Notwithstanding the relief granted to the Deputy Commissioners of Nagpur, Wardha and Hoshangabad by the investiture of the Assistant Commissioners or Extra-Assistant Commissioners with appellate powers, their own work has been considerable, there having been 185 appeals disposed of in Nagpur, 132 in Wardha, and 196 in Hoshangabad. In other districts the work was heavy at Narsinghpur 355 appeals, Nimar 204, Raipur 327, and Sambalpur 290.

Appeals to Commissioners were 539 from regular decrees and 63 from orders.

14. Of 511 appeals disposed of by the Judicial Commissioner, as many as
394 were confirmed.
29 „ remanded for retrial.
27 „ modified.
61 „ reversed.
Of 599 appeals disposed of by the Commissioners, as many as
428 were confirmed.
32 „ remanded for retrial.
55 „ modified.
84 „ reversed.
Of 3,813 appeals disposed of by the Deputy Commissioners, as many as
2,450 were confirmed.
274 „ remanded for retrial.
407 „ modified.
682 „ reversed.
The result of appeals is, on the whole, favorable as a test of the capacity and care of original Courts of all grades.

No doubt, as remarked at page 21, it will be expedient to obtain an annual report or analysis of figures from the Additional Commissioner. With reference to the remark that the Additional Commissioner has "special "opportunity to acquaint himself in detail with all the marked feature of "the year's litigation and the causes to which they were due," it is necessary to note that the Additional Commissioner is not an inspecting officer nor does he deal with the business returns of the Courts appeals from which lie to him. He has therefore no opportunity of forming an opinion on the general character of litigation, but he will be able to express an opinion on the quality of the work done and on the procedure of the Courts, and submit explanations regarding his own business returns. He can further note on the effect which the more important Acts of recent years, the Easements Act, the Transfer of Property Act, and the Central Provinces Tenancy Act, exercise on litigation.

15. The subject of execution of decrees is a matter of much importance, and it does not appear to have received from reporting officers as much attention as it deserves. Only two of the Deputy Commissioners have analysed the figures with care. The cases of Nagpur and Wardha, in which the proportion of applications disposed of as wholly infructuous reached 51·9 and 60·7 per cent respectively, seem to call for special enquiry. The Chief Commissioner is, however, more anxious to see a close control exercised over procedure in these cases with a view to reduce expenditure and delay, than to read analyses, however careful, of the results. He wishes special attention to be given to this subject during the current year. If this is done, there will be little difficulty in explaining the statistics.

16. On the whole, the report of the year is favourable, and the Chief Commissioner wishes to record his sense of the conscientious manner in which the work of administering Civil Justice is carried on in this Province by the Courts of all grades, presided over as they are, with very few exceptions, by officers who have many other important duties to perform. There are still, as the report shows, imperfections to be cured, and errors to be combated. The faults are, however, known and exposed, and the Chief Commissioner is indebted to the Judicial Commissioner, and to the Commissioners and Deputy Commissioners working under him, for the careful manner in which the Courts of first instance are guided and controlled.

The thanks of the Chief Commissioner are due to the Judicial Commissioner for his report, and for the services which he has rendered to the Administration during the year.

I have the honor to be,
Sir,
Your most obedient Servant,

LINDSAY NEILL,
Secretary.

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No. 414.

FROM

THE REGISTRAR,

JUDICIAL COMMISSIONER'S COURT,

Central Provinces.

To

THE SECRETARY TO THE CHIEF COMMISSIONER,

Central Provinces.

Dated Nagpur, the 18th February 1884.

SIR,

I have the honor to submit the Judicial Civil Statements for the year 1883, with the following remarks :—

(A.)—THE TRIBUNALS.

1. The number of Civil Courts in these Provinces open at the close of 1883, is shown on the following page. In the Nagpur Division the number of Assistant Commissioner's Courts was reduced owing to the removal of the Assistant Commissioner's Court from Sironcha in the Chanda District. On the other hand, the number of Appellate Courts open in this division was one in excess of that at the close of the previous year. This was owing to the establishment in January of the Additional Commissioner's Court for hearing Civil and Revenue appeals from the Nagpur and Wardha Districts. In the Jubbulpore Division the number of Courts open at the close of 1883 was the same as that in previous year, except at Saugor where there were two Courts of Assistant Commissioners instead of three as in 1882. In the Nerbudda Division there is an increase of one Court of the Assistant Commissioner in Narsinghpur, and a decrease in one Court of the same class in the Khandwa District. The latter decrease was due to an Extra Assistant Commissioner not having been posted to Burhanpur since August last. The Chhattisgarh Division shows an increase of one Court of the Assistant Commissioner in Raipur. This increase was much needed, as the Civil Original and Appellate work of this district had increased to a greater extent than the existing Courts could satisfactorily deal with.

2. The Local Bar consists of seven Barristers-at-Law, three of whom reside at Nagpur, two at Jubbulpore and two at Raipur; and seventy-one Pleaders, whose local distribution is ordinarily as follows:—

Nagpur	... 17	Jubbulpore	... 11	Seoni	... 1	Khandwa	... 2
Bhandara	... 3	Saugor	... 4	Hoshangabad	... 9	Burhanpur	... 1
Wardha	... 6	Rehli	... 1	Harda	... 3	Raipur	... 2
Arvi	... 1	Damoh	... 2	Narsinghpur	... 8		

At the examination of local candidates for admission as Pleaders, held at Nagpur in October last under the Legal Practitioner's Act, four candidates were passed by the Board of Examiners.

Holidays.

Summer vacation from 15th May to 15th June ..	31 days.
Sundays in 11 months —	48 "
Civil Courts' holidays —	39 "
	118 days.

3. The Courts were open on 247 days during the year. The holidays are detailed in the margin.

B.—EXTENT AND CHARACTER OF LITIGATION.

I—Number of Suits.

4. The two following tables show (*a*) the variations in the number of suits instituted and re-instituted in each district of the Provinces since 1862, (*b*) the details of these variations for each place where one or more Civil Courts are established.

TABLE A.

Showing the number of Suits instituted and re-instituted in each District of the Central Provinces from 1862 to 1883.

Year.	Nagpur. District.	Nagpur. City Small Cause Court.	Nagpur. Cantonment Small Cause Court, Kamptee.	Nagpur. Total.	Chanda.	Bhandara.	Wardha.	Balaghat.	Jubbulpore. District.	Jubbulpore. City Small Cause Court.	Jubbulpore. Cantonment Small Cause Court.	Jubbulpore. Total	Saugor. District.	Saugor. Cantonment Small Cause Court	Saugor. Total.	Seoni.	Damoh.	Mandla.	Hoshangabad.	Betul.	Nimar. District.	Nimar. Cantonment Small Cause Court, Asirgarh.	Nimar. Total.	Narsinghpur.	Chhindwara.	Raipur.	Bilaspur.	Sambalpur.	Upper Godavari.	Grand Total.
1862 ...	3,349	1,622	1,602	6,583	667	1,750	658	...	1,619	315	504	2,438	2,313	601	2,914	806	760	369	2,016	1,038	...	...	...	2,121	705	1,82[illegible]	163	315	[illegible]	24,666
1863 ...	3,020	1,436	2,338	6,794	687	1,634	592	...	1,385	1,321	686	3,392	2,380	572	2,952	973	729	201	2,202	1,142	.	...	...	2,691	1,038	820	222	201	35	26,305
1864 ...	2,647	1,622	1,706	6,045	716	1,692	490	...	1,230	1,683	612	3,525	2,109	1,161	3,270	1,280	859	354	3,183	1,238	4,398	...	4,398	2,542	870	1,221	707	275	42	32,697
1865 ...	2,974	1,288	806	5,068	649	2,076	927	...	1,734	1,739	455	3,928	2,741	709	3,450	1,344	1,377	563	5,887	1,156	3,354	...	3,854	3,558	1,303	1,573	1,781	635	66	39,254
1866 ...	3,386	2,320	1,017	6,923	1,021	2,420	1,216	...	1,405	1,636	481	3,522	2,988	720	3,708	1,185	1,289	421	5,279	1,194	7,561	...	7,561	3,416	1,345	1,379	2,896	594	163	45,250
1867 ...	3,390	3,289	1,323	8,002	1,219	2,934	1,893	304	1,685	1,662	296	3,643	2,724	389	3,113	1,263	1,709	880	5,427	1,979	5,541	27	5,568	3,272	1,990	1,406	3,762	592	89	48,544
1868 ...	4,566	4,060	2,083	10,709	1,636	2,798	3,057	810	1,699	2,052	541	4,292	3,612	559	4,171	1,394	1,631	401	6,494	2,732	6,508	244	6,752	4,125	2,770	1,659	3,466	538	125	58,558
1869 ...	4,529	4,415	3,454	13,398	2,006	2,814	3,724	925	1,441	1,984	514	3,939	4,052	835	4,887	1,387	1,760	528	5,068	2,354	7,854	293	8,147	4,535	3,340	1,982	1,298	886	159	63,137
1870 ...	5,648	4,880	3,407	13,935	2,587	3,596	4,277	727	1,725	2,435	445	4,605	4,003	692	4,695	2,185	1,693	656	6,750	2,702	7,689	165	7,854	5,057	4,027	3,123	1,866	959	289	72,183
1871 ...	6,761	5,300	2,594	14,661	2,937	3,597	6,169	1,236	2,278	2,499	463	5,240	3,132	699	3,831	2,619	1,783	569	6,695	3,207	8,551	118	8,669	6,385	3,616	3,194	2,381	1,112	286	78,088
1872 ...	6,060	5,061	2,779	13,900	2,072	3,122	5,485	989	2,313	2,400	511	5,224	2,652	672	3,324	1,904	1,343	679	7,219	3,249	9,572	174	9,746	5,593	3,537	2,641	2,561	1,087	277	73,955
1873 ...	6,315	5,700	2,428	14,452	2,161	2,663	6,051	1,191	1,985	2,254	437	4,676	2,979	432	3,411	1,692	2,060	661	7,918	3,278	7,808	147	7,955	6,369	3,633	2,657	2,081	1,427	252	74,594
1874 ...	6,904	6,104	2,837	15,845	2,039	2,707	6,839	1,319	2,166	2,493	445	5,044	3,328	302	3,630	1,430	1,744	600	7,522	2,983	7,480	90	7,570	6,265	3,729	3,662	2,035	1,337	179	76,639
1875 ...	7,310	5,993	2,885	16,188	2,235	2,812	7,061	1,508	2,012	2,278	421	4,711	3,381	281	3,662	1,863	1,541	630	7,927	3,225	8,202	62	8,270	5,756	4,464	3,358	2,043	1,354	169	78,777
1876 ...	9,152	7,463	2,830	19,447	3,175	3,190	7,159	1,581	2,205	2,037	430	4,672	3,719	399	4,018	1,666	1,477	624	8,331	3,306	8,454	84	8,538	4,967	4,391	4,838	2,885	1,812	108	86,245
1877 ...	10,244	7,401	3,189	20,834	3,085	3,681	6,400	1,795	2,015	2,219	456	5,290	4,190	300	4,490	1,841	1,940	772	8,344	3,216	7,469	97	7,566	5,146	3,969	5,326	2,968	1,784	137	88,494
1878 ...	9,105	8,301	3,493	20,899	2,754	3,074	4,549	2,300	2,427	2,508	454	5,389	3,810	297	4,107	1,815	1,500	557	7,175	2,516	6,456	57	6,493	4,351	3,200	4,790	2,576	1,738	...	79,783
1879 ...	10,411	7,844	2,939	21,194	3,175	3,668	5,641	1,339	2,690	2,801	553	6,044	3,284	190	3,474	2,345	1,640	847	8,372	3,268	7,674	69	7,743	4,604	3,429	5,774	2,481	2,833	...	87,862
1880 ...	10,900	8,402	2,511	21,813	3,768	4,541	6,591	1,446	2,790	2,664	399	5,853	3,241	223	3,464	2,364	1,751	616	7,082	3,069	7,736	66	7,802	4,568	3,844	6,332	3,552	2,893	...	91,379
1881 ...	9,881	7,668	1,990	19,539	4,002	4,817	6,849	1,798	3,089	2,696	262	5,997	3,110	155	3,265	2,019	1,940	650	7,213	2,556	7,479	34	7,513	4,722	3,646	6,426	4,005	2,946	...	89,903
1882 ...	9,731	6,758	1,931	18,420	4,689	6,029	8,317	1,923	3,024	2,760	341	6,125	3,211	167	3,378	1,626	1,894	803	7,449	2,949	6,870	39	6,909	5,308	3,623	6,018	3,780	3,408	...	92,648
1883 ...	9,121	5,622	1,943	16,786	3,900	5,099	6,818	2,014	2,913	2,628	324	5,865	4,161	194	4,355	1,822	2,339	958	7,587	2,238	6,960	22	6,982	5,528	3,696	5,922	3,714	3,847	...	89,470
Grades and number of Courts at the close of 1883.																														
	Court of the Judicial Commissioner.			1	...	...	...	...		...				...		...	...	...	...	...		...		...	...	...	...	...	...	1
	Courts of the Commissioner.			1	...	...	...	...		1				...		...	...	...	1	...		...		...	...	1	...	...	...	4
	Court of the Additional Commissioner.			...	...	...	...	...		1*				...		...	..	...	...	...		...		...	...	...	...	...	...	1
	Courts of the Deputy Commissioner.			1	1	1	1	1		1				1		1	1	1	1	1		1		1	1	1	1	1	...	18
	Courts of the Assistant Commissioner.			3	2	2	2	1		1				3		1	1	1	4	1		3		2	1	4	2	2	...	36
	Courts of Tahsildar.			5	4	2	3	2		3				4		2	2	2	4	2		2		3	2	4	3	2	...	51
	Courts of the Naib Tahsildar ..			4	2	2	3	1		2				3		2	1	...	4	2		2		2	2	4	1	2	...	39
	Small Cause Courts and Registrar's Courts			4	...	...	..	...		2				1		...	...	...	...	...		1		...	...	...	...	...	...	8
	Total ...			19	9	7	9	5		11				12		6	5	4	14	6		9		8	6	14	7	7	...	158

*Opened in January 1883.

TABLE B.

Showing the number of suits instituted and reinstituted in each Head-quarters Station and in each Tahsil of the Central Provinces from 1879 to 1883.

Locality of Courts.		Number of suits instituted and re-instituted.				
		1879.	1880.	1881.	1882.	1883.
Nagpur ...	Nagpur ..	1,986	2,237	2,049	2,246	2,313
	Court of Small Causes, Nagpur	7,844	8,402	7,668	6,758	5,622
	Total ..	9,830	10,639	9,717	9,004	7,935
	Kamptee ...	2,939	2,511	1,990	1,931	1,943
	Katol ...	1,960	1,882	1,661	1,487	1,162
	Ramtek ...	1,793	2,150	2,269	2,026	1,889
	Saoner ...	3,055	2,753	2,025	1,794	2,087
	Umrer ...	1,617	1,878	1,877	2,178	1,770
Chanda ...	Chanda ...	646	866	545	951	745
	Warora ...	910	1,292	1,460	1,833	1,471
	Mul ...	674	681	1,122	689	854
	Brahmapuri ...	839	867	754	1,106	768
	Sironcha Sub-division ...	106	125	121	110	62
Bhandara ...	Bhandara ..	2,097	2,758	2,270	2,439	2,263
	Tirora ..	996	1,178	1,730	2,353	2,098
	Sakoli ...	575	605	817	1,237	738
Wardha ...	Wardha ..	2,580	3,188	3,309	3,679	3,212
	Arvi ...	1,396	1,712	1,876	2,581	1,776
	Hinganghat ..	1,565	1,691	1,664	2,057	1,830
Balaghat ...	Burha ..	1,214	1,318	1,638	1,824	1,822
	Behir ...	125	128	160	99	192
Jubbulpore.	Jubbulpore ...	736	1,093	1,151	1,090	1,152
	Court of Small Causes, Jubbulpore	2,801	2,664	2,696	2,760	2,628
	Do. do. Cantonment	553	399	262	341	324
	Total ..	4,090	4,156	4,109	4,191	4,104
	Murwara ...	507	475	489	561	576
	Sihora ...	1,447	1,222	1,399	1,373	1,185

Locality of Courts.		Number of suits instituted and re-instituted.				
		1879.	1880.	1881	1882.	1883.
Saugor ...	Saugor ...	1,614	1,313	1,239	1,458	1,884
	Court of Small Causes, Saugor...	190	223	155	167	194
	Kurai ...	725	947	718	760	935
	Rehli ...	643	714	881	718	930
	Banda ...	302	267	272	275	412
Damoh ...	Damoh ...	1,294	1,255	1,550	1,548	1,842
	Hatta ...	346	496	390	346	497
Seoni ...	Seoni ...	1,565	1,580	1,548	1,151	1,250
	Laknadon ...	780	784	471	475	572
Mandla ...	Mandla ...	705	646	589	709	769
	Ramgarh ...	142	154	61	94	189
Hoshangabad	Hoshangabad ...	2,400	2,276	2,282	2,210	2,227
	Seoni ...	1,076	691	801	881	905
	Harda ...	3,289	2,682	2,503	3,118	2,655
	Sohagpur ...	1,424	1,304	1,425	1,175	1,667
	Pachmarhi Sub-division ...	183	129	202	65	183
Betul ...	Betul ...	2,112	1,976	1,647	1,909	1,432
	Multai ...	1,156	1,093	909	1,040	806
Narsinghpur.	Narsinghpur ...	2,294	2,006	2,139	2,338	2,501
	Gadarwara ...	2,310	2,562	2,583	2,970	3,027
Nimar ...	Khandwa ...	4,779	5,038	5,419	4,853	4,922
	Burhanpur ...	2,469	2,698	2,060	2,017	2,038
	Mortakka ...	426	...	...	...	...
	Court of Small Causes, Asirgarh..	69	66	34	39	22
Chhindwara...	Chhindwara ...	1,958	2,440	2,414	2,448	2,685
	Sausar ...	1,462	1,404	1,212	1,175	1,011
Raipur ...	Raipur ...	3,292	3,025	2,956	2,380	2,425
	Drug ...	980	1,460	1,622	1,406	1,193
	Dhamtari ...	546	716	568	1,243	1,107
	Simga ...	956	1,131	1,280	989	1,197
Sambalpur ...	Sambaipur ...	1,142	1,722	1,724	2,011	2,226
	Bargarh ...	1,691	1,171	1,222	1,397	1,621
Bilaspur ...	Bilaspur ...	1,027	1,214	1,555	1,385	1,486
	Mungeli ...	1,002	1,788	1,571	1,345	1,463
	Seorinarain ...	452	550	879	1,050	765
	Total ...	87,862	91,379	89,903	92,648	89,470

5. Though, on the whole, there has been a decrease of 3,178 suits (the figures being 89,470 for the present year against 92,648 for 1883) in the Civil litigation of the year, this decrease is only shown in eight districts, the remainder exhibiting an increase. In the Nagpur, Chanda, Bhandara, and Wardha districts the decrease was marked, while in the rest it was insignificant. The total decrease is therefore localized in the Nagpur Division, while the figures for the Nerbudda Division have remained practically stationary. In the Jubbulpore Division the institutions have increased by 10·9 per cent, and in the Chhattisgarh Division by 2·1 per cent. The District reports from the Nagpur Division do not throw much light on the cause of this falling off. The Deputy Commissioner, Nagpur, after noticing that the decrease occurred chiefly in suits below Rs. 50 in value, and that the falling off was confined to the Small Cause Court, Nagpur, and to the Tahsili Courts of Katol and Saonar, remarks as follows :— "The decrease is thus shown to be in suits on small bonds, and mostly in the "Nagpur Small Cause Court. I think that there can be no doubt that this is "due to the prevailing low price of food-grains which primarily benefits the "poorer classes of the urban population, and also in a measure to the fact that "lucrative employment is open to them at the Mills and on the Railway, &c., "to a much greater extent than used to be the case a few years ago, so that they "are year by year improving in prosperity and not so much indebted as they "used to be". The Deputy Commissioner, Chanda, in noting the large decrease in institutions, nearly 17 per cent, which marked the year under report in his district, states that he cannot give any reasons for the decrease, but that it seems to him that "the reported good harvests of the last year may have had something to do with it". This explanation is not satisfactory. The decrease in this District seems to have been mainly confined to the Courts at Chanda, Warora, Brahmapuri and Sironcha, while the Court at Mul shows an actual and considerable increase ; further, the decrease has occurred entirely in suits below Rs. 50 in value, while the percentage of suits of higher values has risen. If the Deputy Commissioner had analysed these figures and made enquiries from the officers stationed at the localities concerned, a more satisfactory explanation might have been given for the fluctuations which the figures show. General and hypothetical explanations can be given by any one : what is expected in District reports is that the figures of the year should be gone into with care and thought, and that any explanation given should be based upon actual facts and local knowledge. The decrease at Sironcha is probably due to the removal from that place of the Court of the Assistant Commissioner. In the Wardha report no explanation of the decrease is attempted, but it may be noted that it occurred exclusively in suits of the lower values, while the number of suits above Rs. 500 actually rose. The Deputy Commissioner, Bhandara, remarks that a good harvest and the opening of a Railway through the district might have been expected to increase litigation, and he attributes the actual decrease to causes such as the closing of the Naib-Tahsildar's Court owing to the illness of the presiding officer during August and a part of September and again during December. Such facts no doubt explain a part of the decrease, but it is open to doubt whether the Deputy Commissioner is right in thinking that the opening of a railway and a prosperous year tend always to increase litigation. Any thing that furthers the prosperity of the people generally and makes debt more easily recoverable without recourse to the Courts, tends to diminish the number of suits filed. Though ultimately the effect of a railway is to promote commercial activity and to increase population and hence to make litigation more frequent, its first effect (as noticed by the Deputy Commissioner, Nagpur) must be simply to render the circumstances of the people easier and the necessity for incurring petty debts less urgent.

On the general decrease throughout his Division, the Commissioner of Nagpur has the following remarks : "While there were special causes affecting the litigation "of particular localities, the inference seems unavoidable that there was also some "general cause at work throughout the greater part of the Division. That general "cause is not difficult to discover. It is well known that the rabi harvest in this "Division was an exceptionally good one, resulting in cheap food, and there can "be no doubt that these two conditions tend on the whole to diminish litigation. "It is notorious that a considerable portion of our agricultural population habitually

"borrow to pay their rent, and it is obvious that when crops are good the necessity "for borrowing should be less felt than in bad years. Again, when food is cheap "the lower classes of the urban and non-agricultural population generally have "obviously less occasion to run into debt than when prices are high. On the "other hand it may be argued that good crops mean a fall in the value of agricul-"tural produce and consequently increased difficulty in raising money to pay rent, "and that cheapness of food gives an impetus to trade which results in an increased "number of contracts being entered into and of causes of action arising there-"from. Still, on the whole, it seems probable that the former tendency has most "effect, and it is, I believe, in accordance with experience, that litigation declines "in years of good harvest, though the latter tendency no doubt accounts for the "effect of low prices on civil litigation being less marked than might otherwise "be expected."

In the Jubbulpore Division there was an increase in the number of suits filed in every district except Jubbulpore, where the decrease was confined to the Court of Small Causes and the Sehora Tahsil. The Jubbulpore report contains no explanation of these fluctuations. In Saugor, the increase is ascribed by the Deputy Commissioner to two causes: (1), to the filing of a number of suits for foreclosure under the Transfer of Property Act, which under the regulations would have been filed after the lapse of a year; (2), to general cheapness of grain throughout the year, which acted as a stimulus to creditors to recover their dues. The increase extended to all suits below Rs. 500 in value, and was especially marked in suits of less value than Rs. 50. The first cause assigned by the Deputy Commissioner is scarcely adequate as an explanation, as the total number of suits for foreclosure only amounted to 19, against a total increase of 950 in suits filed. As regards the second cause assigned, the Officiating Judicial Commissioner would have been glad if the Deputy Commissioner had gone into the matter more carefully. It has become a custom to throw the burden of explaining the most diverse facts upon the good or bad harvest, but unless the facts are analysed, and unless it is shown *in what way* the harvest acted on the circumstances of the people, explanations of this nature are not of much value. The relatively small increase in the Narsinghpur district is ascribed by the Deputy Commissioner to ordinary fluctuations, and he remarks that litigation in the Tahsil Courts has steadily been increasing since 1879: he adds that so long as no check occurs on the export trade a slight increase in litigation may be expected. The figures in the other districts of the Jubbulpore and Nerbudda divisions do not seem to call for special notice. Regarding the decrease in the Nimar district, the Deputy Commissioner reports that he attributes this to a certain extent to the closing of the Assistant Commissioner's Court at Burhanpur, and that he has ascertained that there was some decrease in the Burhanpur Tahsil in suits for enforcement of matrimonial rights and for immoveable property during the last four months of 1883 as compared with the same period in 1882.

In the Chhattisgarh Division there has been an increase of 2·1 per cent which is entirely confined to the Sambalpur district, the figures for the other two districts remaining nearly stationary. The Deputy Commissioner explains the increase as follows:—He does not think that the relatively large increase is due either to greater indebtedness or, although he admits that trade has increased, to greater commercial activity. He is of opinion that it is due to the fact that "the people are generally coming to learn that many of their disputes "which in former times when brought before the authorities were disposed of on "the miscellaneous side of the Courts, or the executive branch of business, are "now referred to the Civil Courts. I refer to such claims as trespasses and dam-"ages arising therefrom (showing an increase in 1883 of 7 per cent), dispossession "and partition of estates. Further, in the case of ordinary money-claims, the "money-lenders are beginning to feel the convenience of the Court machinery to "recover their dues: consequently the number of petty suits triable by the Tah-"sildars' and Naib-Tahsildars' Courts shows a decided tendency to increase." There is probably some truth in these remarks, but, in so far as they are true, they would apply to all the less advanced districts of the Provinces where the people are year by year becoming more accustomed to the procedure of our Courts,

and more willing to avail themselves of the advantages which it offers them for obtaining speedy redress and recovering petty debts. So far then it applies to the explanation of the increase in the Sambalpur district; but when we observe the steady and marked annual increase in litigation in this district since 1879, it is difficult to avoid thinking that it must be, in part at least, due to an increasing commercial activity and to a widening intercourse with the trading centres of these and other Provinces.

6. From this review it will be noticed that the extent of the litigation of the year presents no very marked features. On the whole, litigation has decreased. Such explanations as are offered for this decrease tend to support the conclusion that, broadly speaking, cheap grain and facilities for trade tend, when the cheapness extends over any considerable period, to diminish litigation: the decrease occurring especially in suits of low value, which result in a great measure from the indebtedness of the poorer portion of the people. It should not be forgotten in relation to this subject, that suits below Rs. 50 in value form 76 per cent of the total annual litigation, and that fluctuations in the suits of higher value affect but slightly the annual totals. In discussing the annual increase and decrease, what is in reality being discussed is the increase and decrease in the number of suits of small value and this increase or decrease is no doubt connected with the indebtedness of the poorer classes and the means they have of meeting it. At the same time the increase of trade and wealth may reasonably be expected to cause a decrease in the number of suits of small value and an increase in the number of suits of a higher value.

II.—Value of Suits.

7. The comparative value of suits disposed of in 1883 is shown in the following table, and calls for little remark. As has already been noted, suits below Rs. 50 have decreased both relatively and absolutely, while the percentage of suits above Rs. 100 is higher than in the previous year.

TABLE C.

Relative value of Suits instituted.

Grades of value.		Number of suits instituted.	Percentage of total suits.	Average value.
Not exceeding Rupees	... 10	23,915	27·	5
" "	... 50	43,698	49·	25
" "	... 100	11,450	12·	71
" "	... 500	8,960	10·	193
" "	... 1,000	830	2·	703
" "	... 5,000	552		1,989
" "	... 10,000	50		6,706
Exceeding Rupees	... 10,000	16		48,271
	Total ...	89,471	100·	.....

TABLE D.

Showing the percentages of Table C. in detail according to districts.

Districts.	Not exceeding Rs. 10.	Not exceeding Rs. 50.	Not exceeding Rs. 100.	Not exceeding Rs. 500.	Exceeding Rs. 500.
Nagpur	29·	49·	12·	9·	1·
Chanda	22·	57·	13·	7·	1·
Bhandara	23·	56·	12·	8·	1·
Wardha	21·	50·	15·	12·	2·
Balaghat	33·	47·	12·	7·	1·
Jubbulpore	23·	48·	14·	13·	2·
Saugor	23·	53·	12·	10·	2·
Damoh	26·	49·	15·	8·	2·
Seoni	28·	44·	15·	11·	2·
Mandla	40·	42·	10·	7·	1·
Hoshangabad	21·	45·	15·	16·	3·
Betul	21·	51·	14·	12·	2·
Narsinghpur	16·	50·	17·	14·	3·
Chhindwara	24·	51·	15·	9·	1·
Nimar	26·	52·	13·	8·	1·
Raipur	36·	43·	11·	8·	2·
Sambalpur	44·	42·	7·	6·	1.
Bilaspur	42·	45·	7·	5·	1.

III.—Description of Suits.

The following tables are prepared from Statement No. I :—

TABLE E.

Description and proportion of suits generally.

Description of suits.	Number of suits.	Percentage of total suits.
I. Suits for money or moveable property	83,554	93·4
II. Title and other suits	5,917	6·6
Total ...	8,941	·100

TABLE F.

Distribution of suits in class I. of Table E. under sub-heads of contract.

Description of suits.	Number of suits.	Percentage of total suits.
Contract in writing	45,054	50·4
Contract not in writing	16,422	18·4
On account stated	2,458	2·8
Money had and received	686	·8
Goods sold	7,935	8·8
Wages, work and material	1,382	1·4
Breach of contract not mentioned above	2,141	2·8
Rent not falling under the Rent Law	790	·9
Moveable property or value thereof	3,940	4·4
Damages	2,746	3·1
Total ...	83,554	9·34

TABLE G.

Classified details of all suits in Table E.

Districts.	Total suits instituted.	For money due.						Moveable property or value thereof.		Damages.		Immoveable property.	
		Contract in writing.		Contract not in writing.		Goods sold.							
		Number.	Percentage of suits instituted.	Number.	Percentage of suits instituted.	Number.	Percentage of suits instituted.	Number.	Percentage of suits instituted.	Number.	Percentage of suits instituted.	Number.	Percentage of suits instituted.
Nagpur	16,786	9,627	57·3	2,123	12·6	2,298	13·7	498	2·9	423	2·5	547	3·3
Chanda	3,900	2,717	69·7	280	7·2	232	5·9	103	2·6	46	1·2	69	1·8
Bhandara	5,099	3,528	69·2	846	16·6	154	3·0	50	1·0	154	3·0	160	3·1
Wardha	6,818	3,468	50·9	1,005	14·7	638	9·4	424	6·2	123	1·8	251	3·7
Balaghat	2,014	843	41·8	509	25·3	148	7·3	157	7·8	122	6·1	88	4·4
Jubbulpore	5,865	2,515	42·9	1,051	17·9	594	10·1	122	2·1	237	4·0	616	10·5
Saugor	4,355	2,349	54·0	898	20·6	238	5·4	147	3·4	97	2·2	259	6·7
Damoh	2,339	1,178	50·4	629	26·9	19	0·8	109	4·6	68	2·9	146	6·2
Seoni	1,822	696	38·2	470	25·8	136	7·5	97	5·3	68	3·7	91	4·9
Mandla	958	213	22·2	307	32·0	126	13·2	135	14·1	42	4·4	11	1·1
Hoshangabad	7,587	3,777	49·8	1,480	19·5	415	5·5	361	4·7	131	1·7	478	6·3
Betul	2,238	954	42·6	432	19·3	155	6·9	188	8·4	111	5·0	96	4·3
Narsinghpur	5,528	3,389	61·3	687	12·4	85	1·5	467	8·4	71	1·3	491	8·9
Chhindwara	3,696	2,107	57·0	612	16·6	344	9·3	131	3·5	105	2·8	147	3·9
Nimar	6,982	3,986	57·1	807	11·6	924	13·2	130	1·9	119	1·7	155	2·2
Raipur	5,922	1,714	28·9	1,719	29·0	588	9·9	425	7·2	320	5·4	363	6·1
Sambalpur	3,847	1,248	32·4	1,054	27·4	575	14·9	146	3·8	308	8·0	288	7·4
Bilaspur	3,714	745	20·1	1,513	40·7	266	7·2	250	6·7	201	5·4	175	4·7
Total ...	89,470	44,054	44·8	16,422	18·4	7,935	8·9	3,940	4·4	2,746	3·1	4,431	4·9

TABLE H.

Relative value of the principal descriptions of suits.

Description of suits.	Number.	Percentage of					
		Suits not exceeding				Suits above.	Total.
		Rupees 10.	Rupees 50.	Rupees 100.	Rupees 500.	Rupees 500.	
Contract in writing ...	45,054	11·9	58·2	17·1	11·6	1·2	100·
Contract not in writing ...	16,422	46·9	43·3	5·3	3·7	0·8	100.
Goods sold ...	7,935	62·4	31·7	3·5	2 3	0·1	100·
Moveable property or value thereof ...	3,940	35·8	46·7	9·2	6·9	1·4	100·
Damages ...	2,746	29·5	45 9	13·3	9 5	1·8	100
Immoveable property ...	4,431	20·6	31·8	15·8	23 8	8 0	100·

8. Table E. shows that the percentage of suits for money and movable property has declined, while that of suits falling under the description title and other suits has risen. From Table F. it appears that the number of suits based on contract not in writing is almost identical with that of last year, and that the percentage relative to other classes of suits has increased. The increase in the percentage of this class of suits is distributed over ten districts, the other districts showing a decrease. In the Nagpur Division the number of suits of this description have decreased in every district except Bhandara and Balaghat. As regards suits on contracts in writing, the Commissioner notes that while the Provincial average for suits of this description was 50 per cent. in 1882, in Bhandara and Chanda the percentage stood in that year at 69 and 66 per cent. respectively, while in the present year the figures are 69 and 70 per cent. No attempt at an explanation of this is made in the District reports, and the Commissioner is unable to explain. He remarks incidentally that while Chanda and Balaghat agree in being the two most sparsely populated districts in the Division, they stand at the opposite end of the scale as respects the percentage of suits on contract in writing and not in writing, Balaghat showing a percentage of 42 per cent. and 25 per cent. for the two classes of suits against 70 per cent. and 7 per cent. in Chanda. It would be interesting to ascertain the cause of these differences, and it is to be regretted that neither the Commissioner nor the District officers have attempted to explain them. In the absence of that local knowledge which District officers have at their command, it would be useless to attempt here an explanation which would be necessarily hypothetical and probably valueless. If the same results appear in the current year's statistics, it is to be hoped that they will be explained in the next year's reports.

The figures for the Jubbulpore Division call for little remark. The great bulk of the suits were brought on contract in writing and not in writing; and suits for immovable property, even where they are most numerous, as in the Jubbulpore district, do not make up more than one-tenth of the whole number. It is, as the Commissioner remarks, natural that the wild hill district of Mandla should show the largest proportion of suits on contract not in writing, while the proportion of suits for immoveable property should be only one in a hundred.

In the Nerbudda Division the figures for the Hoshangabad district show but little variation from those of the previous year. Suits based on contract not in writing show an increase in number of 184, and in percentage of 2 per

cent., the figures being 19 per cent as against 17 per cent in the previous year. On this the Deputy Commissioner remarks that an increase in suits of this kind would naturally follow from the larger number of suits of a value under Rs. 10. As the percentage of suits on contract not in writing is very high in suits of less value than Rs. 10, this inference appears to be correct. The percentage of suits for immovable property remains, as in the previous year, at the relatively high figure of 6 per cent. The Deputy Commissioner observes that a large number of these suits are in reality disputes about occupancy rights, and that their number will probably be much diminished by the coming into force of the Central Provinces Tenancy Act. Regarding this class of suits generally it may be noted that compared with the Provincial average of 4·9 the following districts show an unusually high percentage :—

Jubbulpore	...	10·5
Saugor	...	6·7
Damoh	...	6·2
Hoshangabad	...	6·3
Narsinghpur	...	8·9
Raipur	...	6·1
Sambalpur	...	7·4

There are, it would appear, two causes for these high percentages being localized as they are. In the first place owing to the increased value and increased number of houses and lands on and in the neighbourhood of large towns it is only to be expected that Jubbulpore, Saugor and Raipur should show a large number of suits of this class. The second cause would seem to be the high relative saleable value of the land in fertile districts such as those of the Nerbudda Valley where there is a much keener competition for land than in the less favoured localities. This is probably the explanation of the number of this class of suits in the Narsinghpur and Hoshangabad districts.

In Narsinghpur the increased number of suits based on contract in writing and for goods sold is put down to changed classification. Regarding suits for immoveable property, the Deputy Commissioner remarks that he thinks it to be due to the natural desire of landholders to oust tenants before their right to do so should be limited by the Tenancy Act. In the Chhattisgarh Division, the Commissioner adopts with approval the following explanation given by the Deputy Commissioner, Raipur, regarding suits for immoveable property, and he thinks that it explains the increase in suits of this class in the districts of his division. The Deputy Commissioner remarks: "I think that the knowledge of "the Malguzars that the Central Provinces' Tenancy Act would shortly come "into force is sufficient to have brought about this increase combined with the "two reasons given in the previous paragraph—increased knowledge of their "rights and the increasing value of land. On the introduction of the Tenancy "Act the power of Malguzars to dispossess passes out of their hands except "under conditions more favorable to tenants than at present. The fact that 336 "suits were for ejectment supports this theory." These remarks apply immediately to revenue suits, but to a considerable extent they explain the increase in this class of suits throughout the Provinces. Regarding Civil suits for immovable property the Deputy Commissioner, Raipur, further remarks that out of a total of 363 suits, 246 were brought by Malguzars against cultivators for possession of land encroached on by them. This does not, however, necessarily prove that actual encroachment is very frequent in this district, but tends to show that the settlement records are imperfect or inaccurate. It is more than probable that this class of suit will diminish upon the completion of a more accurate survey and settlement. The Sambalpur and Bilaspur figures under this head call for little or no remark.

C.—General Distribution and Result of Trial of Civil Suits by Courts of Original Jurisdiction.

I.—Distribution.

9. The following table shows how suits were disposed of among the different classes of Courts in the several districts :—

TABLE J.

Distribution of suits disposed of among different classes of Courts.

Total number of Judges.		8	39	51	36	18	152
District.		Small Cause Courts.	Naib Tahsildars.	Tahsildars.	Assistant Commissioners.	Deputy Commissioners.	Total.
Nagpur	... ...	7,526	4,728	3,178	1,165	1	16,598
Chanda	... ...	...	1,562	1,609	733	7	3,911
Bhandara	... ...	...	2,744	1,051	1,103	11	4,909
Wardha	... ...	...	4,264	1,889	578	4	6,735
Balaghat	... ...	...	1,162	560	317	1	2,040
Jubbulporo	... ...	2,990	1,271	1,069	525	8	5,863
Saugor	... ...	200	2,585	921	540	5	4,251
Damoh	... ...	...	1,149	876	276	17	2,318
Seoni	... ...	...	664	914	216	36	1,830
Mandla	... ...	...	...	743	215	9	967
Hoshangabad	... ...	...	4,680	1,979	909	...	7,568
Betul	... ...	...	858	984	334	22	2,198
Narsinghpur	... ...	...	1,763	2,928	692	18	4,501
Chhindwara	... ...	...	2,041	1,129	462	15	3,647
Nimar	... ...	·18	4,561	1,447	700	15	6,741
Raipur	... ...	...	3,862	1,216	802	8	5,888
Sambalpur	... ...	...	2,786	377	428	33	3,624
Bilaspur	... ...	...	1,347	2,012	359	12	3,730
Total	1883 ...	10,734	42,027	24,882	10,354	222	88,219
	1882 ...	12,276	41,567	28,067	10,850	209	92,969
Percentage	1883 ...	12·2	47·6	28·2	11·7	·3	100.
	1882 ...	13·2	44·7	30·2	11·7	·2	100.
	1881 ...	14·1	45·4	28·0	12·3	·2	100.
	1880 ...	15·9	40·3	30·3	13·3	·2	100.
	1879 ...	16·2	37·0	34·0	12·6	·2	100.

This table does not call for much remark. It is curious to note that since 1879 the percentage of suits disposed of by Small Cause Courts has been steadily decreasing, while the Courts of Naib-Tahsildars show a corresponding steady increase. There can be no doubt that the people are learning each year to appreciate more fully the convenience of the latter class of Court in recovering petty debts and are resorting to them more largely for this purpose. The decrease in the litigation of the year has been confined almost exclusively to suits tried in Small Cause Courts, and to suits triedby Tahsildars. In Betul the decrease in cases tried by Naib-Tahsildars has been so marked as compared with the general increase, that it seems to call for special explanation. That given by the Deputy Commissioner is as follows: "The large decrease in the different Courts is, in my "opinion, partly due to an outbreak of cholera in both the tahsils of the district and "to the absence of the Naib-Tahsildar on special duty during a great part of the "year. It was arranged that suits ordinarily filed in this Court should be heard by "the Tahsildar, but as this official was also out a good deal in the district in connec-"tion with the appointment of makaddams, the people began to think that the Naib-"Tahsildar's Court was actually temporarily closed. The fact that the decrease is "greater in Betul than Multai tends to support the above explanation. Good "harvests may also have tended to diminish litigation to some extent." This explanation seems a probable one, but the Deputy Commissioner should have taken greater care in arranging for the due disposal of Civil suits triable by the Naib-Tahsildar. The other figures of this return do not seem to call for notice.

TABLE K.

Institution of suits in the various Courts according to value.

Judges.		Registrars of Courts of Small Causes.	Judges of Courts of Small Causes.	Naib Tahsildars.	Tahsildars.	Assistant and Extra-Assistant Commissioners.	Deputy Commissioners.	Commissioners.	Total.	Remarks.
Number of Judges.		2	6	39	51	36	18	1	153	
Grades of value of suits.	Total number of suits instituted.	Percentage of suits instituted in the Courts of each class of Judge.								
Not exceeding Rs. 10	23,915	13·7	64·5	17·0	4·8	...	...	100·		
" " 50	43,698	12·0	62·3	20·7	5·0	...	...	100·		
" " 100	11,450	10·7	...	71·1	18·0	·2	...	100·		
" " 500	8,960	10·9	...	43·3	45·7	·1	...	100·		
" " 1,000	830	5·1	...	...	92·9	2·0	...	100·		
" " 5,000	552	...	...	...	77·5	22·5	...	100·		
" " 10,000	50	...	...	...	44·0	56·0	...	100·		
Exceeding " 10,000	16	...	...	...	31·2	68·8	...	100·		
All grades ...	89,471	12·0	47·7	28·1	12·0	·2	...	100·		

II. Results of Trials.

10. The following table shows the general results of the trials of suits disposed of:—

TABLE L.

Results of trial of suits disposed of.

Results.	Number of suits.	Proportion per-cent in 1883.	Corresponding proportion 1882.
Plaints rejected or returned	568	·6	·6
Transferred to other District or Small Cause Court jurisdiction	4	...	...
(a).—Disposed of without contest.			
Dismissed for default	16,686	18·9	17·9
Withdrawn with leave	1,066	1·2	1·3
Compromised	10,683	12·2	12·3
Decreed on confession	19,972	22·6	23·6
Decreed *ex parte*	14,435	16·4	16·3
Dismissed *ex parte*	807	·9	·9
Total Uncontested ...	63,649	72·2	72·3
(b).—Contested and judgment given for			
Plaintiff in whole	10,139	11·5	11·1
Ditto in part	7,382	8·4	8·7
Defendant in whole	6,478	7·3	7·3
Total Contested ...	23,999	27·2	27·1

The percentage of contested cases is almost identical with that for 1882, being 27·2 as compared with 27·1 in that year. Chanda shows the smallest percentage, while Bhandara, Chhindwara, and Nimar exhibit figures much below the average. None of the District reports have any remarks on this point. The Jubbulpore and Nerbudda Divisions show the highest divisional percentage of contested suits. The highest percentage in the Provinces, viz: 33·8, is exhibited in the Jubbulpore district; it is closely followed by Narsinghpur and by Sambalpur. The general slight increase in the percentage of contested suits is in accordance with the statistics of the year. There was a decrease in the total, but as this decrease was, as has been shown, almost exclusively confined to suits of low value, where a contested case is the exception, it follows that the ratio of contested to non-contested suits should have risen.

Dismissal for default.

11. The Provincial percentage of dismissals for default has slightly increased. The very large increase in the Raipur district, namely 26·0 in 1883, as against 17·8 per cent in 1882, is commented on by Colonel Ward, the Deputy Commissioner, as follows. "In "all the Courts there has been increase, and I am not sure but that in some in- "stances the procedure has been too hasty. In three cases in the Court of the "Naib Tahsildar of Simga, the orders of dismissal were given after a hearing "in camp and on the absence of the parties: on that occasion the cases were "adjourned, but there was nothing on the record to show that notice of the "adjourned date had been given to the parties. In his explanation the Naib "Tahsildar said that the parties had been duly informed.

"Examination of most of the other cases showed that sometimes the hour at "which these cases had been struck off was not given, otherwise there were no "irregularities. The subject received special attention from my predecessor, "Colonel Scott, and any irregularity found in procedure was promptly brought "to the notice of the Courts concerned."

These remarks scarcely suffice for an explanation of the very large increase in the percentage of suits disposed of in this way; and the Officiating Judicial Commissioner would have been glad if the causes had been more satisfactorily shown: at the same time, however, he observes that the matter has the attention of the Deputy Commissioner, and trusts that the current year will show an improvement. Where a large number of cases are dismissed in default inquiry should be made as to the number of applications for rehearing. If there are few of such applications it is probable that the suits were rightly dismissed. On the other hand when in any Court there is a large number of suits dismissed in default combined with a large number of applications for rehearing, it will most likely be found that the dismissals are due to irregularity of procedure.

In the Jubbulpore Division, the figures show but slight variation from those of last year. The Deputy Commissioner, Saugor, in remarking on the high percentage of dismissals in the Courts of the Tahsildar, Saugor, and the Tahsildar and Naib-Tahsildar of Kurai, says that "This high percentage is not due to any "hasty or irregular procedure on the part of the Courts, but to the fact that the "parties settle their claims out of Court without giving intimation of the fact." This explanation is scarcely satisfactory; presumably the Deputy Commissioner has examined the records of the cases referred to, but this is not explicitly stated. As the Commissioner remarks, it is not clear why the disposition of the suitors in these tahsils should differ from those elsewhere; and if the explanation holds in this instance, it should hold generally. When such special explanations are given some clue should be furnished to the way in which they have been reached; if based upon actual examination of the records, the result, as has been remarked, is a satisfactory one. At the same time it is not meant that these remarks should be taken to imply that a large percentage of suits dismissed for default necessarily shows that Judges have fixed cases without regard to the convenience of the parties or that they have dismissed suits arbitrarily. All that is intended is to point to the necessity of examining the cases of the Courts concerned before hazarding such an explanation as the one given above. Care should be taken by Judicial officers whose duties require them to hold their

Courts in camp, to fix cases for hearing at places convenient to the litigants and and to give the parties due notice of the date and place of hearing. On the other hand, it is not improbable that defendants are learning to recognize the strict procedure of our Courts, and that they are becoming aware how useless it is to contest clear and well proved claims. For these reasons more suits are amicably adjusted, and defendants are induced to satisfy the plaintiffs' claims by the mere pressure of a summons. In such cases the adjustment is rarely notified to the Court and the case comes to be struck off in default. The point is nevertheless one which should have the constant attention of the District officers. It is a matter of no great difficulty for them to call from time to time for cases decided in this way and to check any tendency to careless or inconsiderate dismissals. It should be noticed that the Deputy Commissioners of Raipur, Nimar, and Chhindwara have called for and examined cases for this purpose.

Decrees on confession.

12. Suits decided on confession show a decrease of 1 per cent on the figures for the previous year. The subject has been frequently and fully remarked on in previous years' reports, and but little further comment seems called for here. The decrease is satisfactory, but is no doubt mainly due to the fact that the chief decrease in the litigation of the year has been in suits of low value where confession is relatively most frequent. The Officiating Judicial Commissioner is glad to observe from the remarks made on the subject in some of the reports that the procedure of the Courts in this respect is supervised by District officers. The Deputy Commissioner, Nimar, whose report is a careful and valuable one, is, however, the only District Officer who refers to this subject in any detail; he remarks that some of the Courts still do not seem to take sufficient pains to see that the defendant really understands what the claim is. "Judging from the proceedings it would appear that the bond "is read over; defendant is asked if it is all right and if he owes the money, and "on his replying in the affirmative a decree is given. The Subordinate Courts "have had it impressed on them that something more is necessary. I must men-"tion, however, that the above remarks apply only to the Courts of the least expe-"rienced officer." Such a mode of procedure has repeatedly been the subject of remark in the annual reports, and from the absence of reference to it in the greater number of the past year's reports, it is believed that the procedure has been improved now and that the Courts not only ascertain in such cases whether the defendant owes money to plaintiff but satisfy themselves that he owes the amount actually claimed.

The number of suits compromised and withwrawn with leave is almost the same as that of the previous year. The figures call for no remark.

13. With reference to the incidental results of trials shown in Prescribed Statement No. 9 and Additional Statement III., columns 38 to 45, the following remarks seem called for.

The number of commissions issued for local enquiry shows a decrease of 11 from that of the previous year, while the number of such commissions issued for the examination of accounts has diminished by 77. This decrease is satisfactory, as it shows that a wiser discretion is used in issuing commissions.

The diary of commissions issued which has now to be kept up in each Court and which is submitted to the Judicial Commissioner month by month has enabled him to watch with some exactness the procedure of the Courts in this respect and to notice any case in which the Judge appears to have left to a Commissioner the duty of recording the evidence and deciding as to its effect.

Cases referred to arbitration.

14. Under the head of cases referred to arbitration there is a marked decrease, there being 152 cases in 1883 against 278 in the preceding year.

In the Nagpur district the number of references under this head fell from 93 to 16, a result which is probably due to stricter observance of the instructions

issued by the Deputy Commissioner to the Courts subordinate to him on the subject. The figures in the other districts of this Division, except in Balaghat, do not call for notice: no explanation of the large increase in the latter district is offered by the Deputy Commissioner.

Decision on oath.

15. In view of the remarks made by Mr. Ward last year regarding the decision of cases by the oath of one of the parties, and with reference to the fear expressed by him that it would be needful to adopt some special precaution to check the procedure of the Courts in this respect, it is satisfactory to note the very large decrease in the current year. The Deputy Commissioner, Nagpur, thinks that though the present year shows a marked decrease in his district, the total is still too high, and remarks that "this mode of procedure has been commented on "during the year by the Judicial Commissioner, and almost all the cases have "been examined. It has been found that in some cases the provisions of the "Oaths Act have not been complied with, and oaths have been administered in-"volving injury to a third party, which is illegal. Recourse to this procedure is due "in a great measure to laziness on the part of presiding officers who think thereby "to shirk the trouble of going carefully into the facts of the case." It is important that undue recourse to this procedure should be checked and that the oath administered should be a lawful one. When the parties wish to have a case decided in this manner because the evidence is insufficient or in order to avoid the trouble of a trial, the procedure is useful. But the parties should be left to choose to have the case decided on oath and should not be pressed by the Judge to have it so decided.

Decrees by instalments.

16. There has been a large proportional and absolute decrease in the number of cases in which payment by instalments was ordered. The figures being 3,505 against 4,348 in 1882, showing a decrease of 19·4 per cent. This decrease may be viewed with satisfaction. The rule which should guide Courts in passing decrees of this nature has been laid down in Civil Circular No. 7, and it is there pointed out that such decrees should not be granted as a matter of course, and that careful discretion should be shown in passing them. In every case of this nature it should be clearly shown that either from the harsh and exorbitant nature of the claim or from the peculiar position of the defendant, as for instance where he receives his pay in monthly instalments, a greater degree of justice will be done by ordering payment by instalments than by passing a decree for the whole amount. Some Judges seem apt to forget that one, if not the chief object, in establishing the lower grades of Courts, is to compel the fulfilment of contracts and the payment of legally recoverable debts. Where such contract has been voluntarily entered into or debt freely incurred, plaintiffs are certainly entitled to ask that undue obstacles shall not be placed in the way of their obtaining redress. It is not in every case, or in the majority of cases, that the plaintiff is a grasping money-lender and the defendant an innocent and helpless victim. Money-lending is an indispensable adjunct of Indian rural life, and it should be distinctly remembered that the more difficulties that are placed by our Courts in the way of prompt recovery of money lent, the harder will the money-lenders' terms become, and the more anxious will they be to secure the recovery of their money by obtaining a lien on the peasant's house or land. Turning to the District reports, the Judge of the Small Cause Court, Jubbulpore, one of the few Courts in which an increase under this head occurred, remarks that in the greater number of cases, the judgment debtors were persons in receipt of inconsiderable monthly salaries and burdened with families. In those cases the order for payment by instalments was probably expedient, both in the interest of the creditor and debtor. The Deputy Commissioner, Hoshangabad, notes that such decrees are still too frequent, are rarely supported by adequate reasons, and have consequently to be reversed on appeal. He thinks that some Judges when passing these decrees are unduly influenced by feeling, where strict justice points another way. As regards the frequency of appeal however and the necessity for reversal there can be no doubt that the natives of this c untry are largely

guided in appealing by their knowledge of the opinion of the officer presiding in the appellate Court. It is certain that few, if any, creditors spontaneously approve of decrees of this kind, and if they once become aware that such decrees will probably, or even possibly, be reversed by the appellate Court every such case will be appealed.

The Deputy Commissioner, Narsinghpur, agrees with the Deputy Commissioner, Hoshangabad, in thinking that instalment decrees are still too freely given and that adequate reasons are not forthcoming. The Deputy Commissioner, Nimar, has some interesting remarks on this subject. He found while out on tour that though Holkar has recently raised the rent payable by his ryots to the highest possible pitch, and though land is available close at hand in the Nimar district at cheap rates, few or none of Holkar's ryots can be induced to emigrate to British territory. The reason assigned by them for their refusal is that payments by instalments is so rarely ordered by our Courts, and that ryots being unable to pay the lump sums decreed are frequently sold up and ousted. The Deputy Commissioner infers from these facts that in the interest of the agricultural classes, it would be expedient to foster the practice of ordering payment by instalments. It is difficult altogether to agree in this conclusion, nor would it appear that the experience of the majority of District officers on the general question of decrees by instalments agrees with that of Colonel Scott. The lower classes may feel, at times, the pressure of our strict rule, and may prefer to go back to their own old and simpler social organization; but what they object to is not such a detached item of procedure as a decree not being passed by instalments, but the general insistance by us upon the due and exact fulfilments of contracts and upon submission to law and rule.

Durations.

17. Durations are higher than in 1882. The average number of days required for the disposal of every contested suit has been 41·8 days and for every uncontested suit 26·9 days, while the average number of hearings has been 3·1 as against 2 9 in contested cases, and in uncontested cases 1 8 as compared with 1·7 in 1882. In his review of last year's report the Chief Commissioner remarked that there was little room for improvement in this direction, as additional celerity in the disposal of cases might be achieved at the expense of carefulness of enquiry. With these remarks the Officiating Judicial Commissioner fully agrees, nor does he think that the slight increase which the present year shows is a matter which calls for any special notice. It is no doubt well that officers should be aware that undue delay in the disposal of cases, and still more an abnormal number of hearings, is not looked upon as satisfactory, and that their procedure in this respect should be carefully supervised and checked. At the same time Mr. Crosthwaite thinks that the lower grade of Courts are sometimes inclined to err in the other direction, and by their effort to shorten their average duration, to attempt to earn statistical laurels by the sacrifice of thoroughness and justice.

In the Nagpur Division the Deputy Commissioner, Bhandara, remarks that the duration of cases, both contested and uncontested, *i e* 47·1 and 37 6, is very high. The durations of trials in this district have been rising for the last 4 years. The increased duration in the present year is ascribed in part to the prevalence of cholera throughout the district, which prevented the regular attendance of the parties, and in part to transfers and illness among presiding officers. In the remark of the Deputy Commissioner, that an increase in durations is to be expected together with an increase in institutions, the Officiating Judicial Commissioner cannot fully agree, and he thinks that greater promptness might be shown in this district in the disposal of cases. Last year the Officiating Judicial Commissioner when inspecting the Bhandara Courts found that the procedure in the Extra Assistant Commissioner's Court was extremely dilatory, and he trusts that the subject will have the careful attention of the Deputy Commissioner during the current year. In Wardha the increase in durations is ascribed to the amount of work which fell to the Station Court, and also to the universal employment of Pleaders, and still more of Mukhtyars by the money-lenders. With the adequacy of the latter cause of delay the Officiating Judicial Commissioner is not satisfied. Under the Code of Civil Procedure and the Evidence

Act the Courts have considerable power of preventing incompetency and carelessness on the part of parties and their agents, and it is to be regretted that they do not avail themselves of the provisions of the law more widely. As in other cases, incapacity, ignorance and carelessness in Pleaders or agents can only be checked by visiting its occurrence with a penalty. If parties find that incompetence on the part of their Pleaders or agents entails needless expense, they will take pains to procure the services of fitter men. In many districts Mr. Crosthwaite has repeatedly observed a tendency on the part of Native Judges to shew an undue deference to Pleaders and agents, and to postpone cases simply for their convenience, or in consequence of their careless preparation of their cases. Any such tendency should be watched and checked by District officers and proper instructions issued.

In the Jubbulpore Division none of the returns show any marked fluctuation from those of the previous year. As the Commissioner notes the figures are on the whole satisfactory and call for no remarks.

In the Hoshangabad district there has been a decrease in the number of hearings and in the duration in contested cases, while in uncontested cases the figures in both cases have risen. In Betul durations and number of hearings have increased, but no causes are assigned to explain this result. The matter should have the careful attention of the District officer.

Narsinghpur also shows an increase, which is assigned by the Deputy Commissioner to the death of an Extra Assistant Commissioner, which necessitated the redistribution of that officer's work, and consequent delay; and partly to the large number of suits for landed property filed during the year. The increased duration and number of hearings in the Chhindwara district is not satisfactorily explained, and calls for attention on the part of the District officer. The figures in Nimar are commented on in a separate note attached to the District report. Such increase as occurred was mainly due to transfer of officers, to illness, and to delay in investing new officers with powers.

The increase in duration in the Sambalpur district has during the year been the subject of correspondence between this office and the Deputy Commissioner. As it was in part due to the large amount of work to be done and in part to want of experience on the part of one of the officers, and as the requisite instructions have already issued, no further remarks seem called for here. The increase in the Bilaspur district is assigned by the Deputy Commissioner partly to transfer and delay in investiture, and partly to Judicial officers being occupied by miscellaneous enquiries, which took up much of their time. The returns from the Chhattisgarh Division are not satisfactory, and an improvement will be expected during the current year.

As has been pointed out in previous years, a considerable part of the delays that occur is due to defective management on the part of the presiding officer. Cases, except in Naib-Tahsildar's and Small Cause Courts, seem very rarely to be fixed for final disposal, a procedure which in all the simpler classes of cases should always be followed. Reasonable care should be shown in fixing dates for hearing, and method is called for in taking up cases and making adjournments. Except in cases of considerable urgency officers who have executive as well as judicial functions, should not be ordered away from their head quarters without sufficient notice; and finally the Courts should not submit to Pleaders and agents, who, through carelessness or to save themselves trouble, frequently ask for, and too often obtain, needless adjournments. The average number of hearings is more important as a test of work than the average duration. It is not of much consequence whether a suit is decided in 30 or in 40 days; but it is most inconvenient to the parties and witnesses to have to attend the Court four or five times before their case is disposed of. The average number of hearings in ordinary Courts should certainly not exceed three. On the whole, the Judicial Commissioner has little fault to find with the durations of the past year, but he considers that the increase in the average number of hearings is not satisfactory.

D.—Miscellaneous Cases.

18. No remarks seemed called for under this head.

E.—Appellate Business.

19. The result of first appeals instituted during the year is shown in the following table.

TABLE M.

Appeals to the Commissioners and Deputy Commissioners.

	Courts of Deputy Commissioners.		Courts of Commissioners.		Total.		Percentage of appeals to appealable cases.	
	1882.	1883.	1882.	1883.	1882.	1883.	1882.	1883.
From decrees of ordinary Civil Courts	3,530	3,621	528	539	4,058	4,160	19·1	20·5
From orders	154	175	56	63	210	238		
Total ...	3,684	3,796	584	602	4,268	4,398		

Both in the Courts of Commissioners and Deputy Commissioners the number of such appeals has increased, though the increase is not numerically very marked.

Considering, however, that the number of cases instituted was less this year than in 1882 the increase is noticeable, and the percentage of appeals to appealable cases has risen from 19·1 to 20 5 per cent.

The number of civil appeals heard by the Commissioner of each Division and of those heard by the Additional Commissioner, is as follows:—

	Nagpur.	Jubbulpore.	Nerbudda.	Chhattisgarh.
By Commissioner ...	83	23	23	38
„ Additional Commissioner ...	58	142	232	...
	141	165	255	38

Remarking on the number of appeals from his division which were disposed of by the Additional Commissioner, the Commissioner, Nagpur, writes: "This "year, for the first time, there have been two Courts of the Commissioner in this "division, the Nagpur and Wardha appeals being taken up by the Additional "Commissioner." Thus of the 218 appeals from regular Civil and Revenue de-"crees, *i. e.* 141 civil appeals and 77 revenue appeals, 136 or 62·4 per cent have "been taken by the Additional Commissioner. This relief has been most welcome, "and I look upon the maintenance of an Additional Commissionership for this "Division as absolutely necessary if the Commissioner is to give attention to his "administrative and executive duties. As a further reason for maintaining the "appointment, I would call attention to the fact that Act III. of 1884 by its "amendment of Section 191 of the Criminal Procedure Code, will in all proba-"bility immensely increase the work of Sessions Judges. During 1883 there "were 191 regular Criminal appeals to this Court besides Session cases, so that "but for the assistance afforded by the Additional Commissioner 409 regular

" appeals would have fallen to this Court which, I submit, is more than a single " officer can do justice to, who has in addition so large an amount of important " administrative work to attend to as falls to the lot of a Commissioner of " Division." The Officiating Judicial Commissioner agrees generally in these remarks, though he does not anticipate that the amendment of Section 191, Code of Criminal Procedure, will materially increase the work of Sessions Judges. It is, however, unnecessary to discuss the question here, as the Officiating Judicial Commissioner believes that the subject of relieving executive officers of a portion of their Judicial Appellate work is under the immediate consideration of the Chief Commissioner.

The result of appeals to Courts of Commissioners and Deputy Commissioners is shown below :—

Appellate Court.	Confirmed or dismissed in default.		Modified, reversed or remanded.	
	1882.	1883.	1882.	1883.
Commissioner of Nagpur ...	63 per cent.	62 per cent	37 per cent.	38 per cent
Do. Nerbudda ..	63 "	56 "	37 "	44 "
Do. Chhattisgarh ...	47 "	55 "	53 "	45 "
Do. Jubbulpore ..	51 "	43 "	49 "	57 "
Additional Commissioner... Nagpur ...	50 "	78 "	50 "	22 "
Additional Commissioner... Jubbulpore ..		81 "		19 "
Additional Commissioner... Nerbudda ...		73 "		27 "
Total ...	54 per cent	72 per cent.	46 per cent.	28 per cent.

Appellate Court.	Confirmed or dismissed *ex parte*.		Modified, reversed or remanded.		Percentage of decrees confirmed without notice to respondent.	
	1882.	1883.	1882.	1883.	1882.	1883.
Deputy Commissioner of Nagpur ...	63 per cent	63 per cent	37 per cent	37 per cent	6 per cent	1·
Do. Chanda ...	75 "	77 "	25 "	23 "	47 "	52·
Do. Bhandara ...	56 "	49 "	44 "	51 "	1 "	6·
Do. Wardha ..	60 "	56 "	40 "	44· "	...	...
Do. Balaghat ...	73 "	67 "	27 "	33 "	...	2·
Do. Jubbulpore ..	59 "	68 "	41 "	32 "	...	1·
Do. Saugor ..	60 "	60 "	40 "	40 "	1 "	...
Do. Damoh ..	8 "	74 "	38 "	26 "	54 "	44·
Do. Seoni ...	69 "	62 "	31 "	37 "	41 "	22·
Do. Mandla ...	75 "	82 "	25 "	18 "	13 "	18·
Do. Hoshangabad .	80 "	71 "	20 "	29 "	36 "	19·
Do. Betul ..	70 "	65 "	30 "	35 "	1 "	7·
Do. Narsinghpur ...	62 "	61 "	38 "	39 "	3 "	6·
Do. Chhindwara ...	53 "	71 "	47 "	29 "	2 "	8·
Do. Nimar ...	76 "	66 "	24 "	33 "	...	2·
Do. Raipur ...	64 "	64 "	36 "	36 "	2 "	17·
Do. Sambalpur ...	51 "	63 "	49 "	37 "	36 "	39·
Do. Bilaspur ...	77 "	71 "	23 "	29 "	1 "	14·
Total ...	3 "	66 "	35 "	34 "	12 "	12·

As regards the results of the appeals to Commissioners' Courts, (Table N. overleaf) the figures except for the Court of the Additional Commissioner show no very noticeable variance from those of 1882. The percentage of decrees confirmed and appeals dismissed by default in the Jubbulpore and Nerbudda Divisions decreased, while in Nagpur the figure remained nearly stationary, and in the Chhattisgarh Division there was an increase. In the Additional Commissioner's Court, however, the proportion of appeals where the decree was confirmed, or the appeal dismissed by default, shows a very marked increase, the figures being 77·1 against 50 per cent. in the previous year. It is to be regretted that this result is not referred to in any of the reports, and it is proposed that if the appointment of Additional Commissioner should be continued during the current year, that officer should be called on to submit at the close of the year a report on the Civil work done by him. In the absence of such a report it is difficult to analyse the figures shown against his Court, and the fact that he is exclusively occupied with Civil business would give him especial opportunity to acquaint himself in detail with all the marked features of the year's litigation, and the causes to which they were due.

As will be seen from the detailed table N, very few of the Additional Commissioner's appeals were confirmed without notice to the respondent. In the great majority then of appeals to this Court, both parties were heard, and the decree confirmed after full enquiry and consideration. As the Additional Commissioner is a specially qualified officer with no executive or other duties to prevent him from having ample time for the consideration of his cases, the fact that he has been able to confirm so large a proportion of the decrees which come before him, is a matter which may be regarded with satisfaction.

Turning to the appeals decided by Deputy Commissioners, the total number of appeals disposed of in their Courts show a slight increase since 1882. This increase has been spread over twelve districts, that in Damoh being the most marked; the only districts which show a decrease are Nagpur, Seoni, Chhindwara, Nimar, Raipur and Bilaspur. The causes of these fluctuations are scarcely touched upon either in the district or divisional reports. The increase in Damoh is ascribed to the higher percentage of contested cases, while in Narsinghpur it is set down to the fact that, instead of hearing suits up to Rs. 500 only, the Court of the Assistant Commissioner heard suits up to Rs. 1,000, all his decisions being appealable to the Deputy Commissioner, instead of to the Commissioner as in former years when all suits from Rs. 500 to Rs. 5,000 were disposed of by an officer belonging to the 5th grade of Courts.

The result of appeals disposed of calls for little remark. The proportion of decrees in the Chanda district which were confirmed without notice to the respondent was high and an explanation will be called for. The number of such cases in Hoshangabad shows a marked decrease, *i. e.* from 36 to 19 per cent. of appeals disposed of. In Damoh, the percentage (44) is also high and explanation will be called for. The subject of disposing of appeals without notice to the respondent has been carefully considered during the past year and, except in the case of one officer, the procedure of the Courts did not seem to be open to objection. Deputy Commissioners have the record of the case in their office and they can conveniently examine it, hear the appellant and ascertain whether there is any necessity to hear the respondent. The remaining figures call for no remark.

In the Judicial Commissioner's Court special appeals increased from 461 to 475, miscellaneous appeals from 21 to 36, and applications under section 622 Civil Procedure Code, which, as regards the time and trouble which they involve, are practically appeals, from 82 to 142. The average durations in special appeals show an improvement, while in miscellaneous appeals and applications the average has risen. A smaller percentage of decrees was confirmed without notice to respondent, fewer cases were remanded for re-trial, more decrees were modified and fewer reversed. The work of this Court has therefore increased, the number of appeals and applications having been 89 more than in 1882.

TABLE N.

Disposal of Appeals.

Courts.	Confirmed without notice to respondent		Dismissed for default.		Remanded for re-trial.		Decree of Lower Court.						Total disposed of.
							Modified.		Reversed.		Confirmed.		
	Number.	Percentage of total appeals.	Number.	Percentage of total appeals.	Number.	Percentage of total appeals.	Number.	Percentage of total appeals.	Number.	Percentage of total appeals.	Number.	Percentage of total appeals.	
1	2	3	4	5	6	7	8	9	10	11	12	13	14
Court of the Judicial Commissioner	216	42	21	4	29	6	27	5	61	12	157	31	511
Courts of the Commissioner—													
Nagpur ...	2	2	4	5	7	9	16	19	8	10	46	55	83
Jubbulpore ...	...	...	...	...	1	4	2	9	10	43	10	43	23
Nerbudda ...	...	...	1	4	2	9	1	4	7	31	12	52	23
Chhattisgarh ...	2	5	...	...	8	21	7	18	2	5	19	50	38
Additional Commissioner, Nagpur Jubbulpore and Nerbudda Division ...	23	5	26	6	14	3	29	7	57	13	283	66	432
	27	5	31	5	32	5	55	9	84	14	370	62	599
Nagpur ...	4	1	60	15	12	3	33	8	102	26	187	47	398
Chanda ...	49	52	6	6	11	12	3	3	8	8	18	19	95
Bhandara ...	11	6	20	11	24	13	31	17	40	21	59	32	185
Wardha ...	1	...	44	11	42	11	80	21	47	12	174	45	388
Balaghat ...	2	2	6	7	3	3	11	13	15	17	51	58	88
Jubbulpore ...	1	1	13	8	26	15	11	6	18	11	98	59	167
Saugor ...	...	...	9	5	18	10	14	8	39	22	96	55	176
Damoh ...	60	44	10	7	7	5	12	9	17	12	32	23	138
Seoni ...	19	22	2	2	2	2	11	13	19	22	32	38	85
Mandla ...	3	18	4	23	...	...	1	6	2	12	7	41	17
Hoshangabad ...	71	19	27	7	19	5	30	8	59	16	169	45	375
Betul ...	12	7	11	6	3	2	22	12	39	21	94	52	181
Narsinghpur ...	24	6	13	3	22	6	51	13	78	20	200	52	388
Chhindwara ...	15	8	9	5	6	3	26	15	19	11	103	58	178
Nimar ..	5	2	15	7	11	5	21	10	39	18	122	57	213
Raipur ...	59	17	46	14	39	12	25	8	55	16	111	33	335
Sambalpur ...	115	39	44	15	26	9	11	4	70	24	27	9	293
Bilaspur ...	16	14	10	9	3	3	14	12	16	14	54	48	113
Total ...	467	12	349	9	274	7	407	10	682	17	1,634	45	3,813
Grand total ...	710	14	401	8	335	7	489	10	827	17	2,161	44	4,923

F.—Work done by Officers.

20. These returns call for little or no remark They contain information which is valuable for purpose of reference, but in the present year they show but slight differences from the figures of the previous year. The work done by Commissioners has decreased, while that done by Deputy Commissioners has remained nearly stationary. Finally a much larger amount of civil appellate work has been done by Assistant Commissioners in the Nagpur, Wardha and Hoshangabad districts, where there are Assistant Commissioners invested with appellate powers.

TABLE O.

Work done by the Judicial Commissioner.

Special appeals.					Miscellaneous appeals.					Applications under Section 622, C. C. P.				
1879.	1880.	1881.	1882.	1883.	1879.	1880.	1881.	1882.	1883.	1879.	1880.	1881.	1882.	1883.
406	431	389	461	475	16	33	19	21	36	2	45	58	82	142

TABLE P.

Work done by Commissioners.

Courts.	Regulars appeals.					Miscellaneous appeals.				
	1879.	1880.	1881.	1882.	1883.	1879.	1880.	1881.	1882.	1883.
Commissioner of Nagpur ...	72	107	103	111	79	8	11	14	5	4
Commissioner of Jubbulpore ...	...	...	...	183	23	...	...	...	29	...
Commissioner of Nerbudda ...	12	8	2	120	9	1	...	...	7	3
Commissioner of Chhattisgarh ...	44	64	19	30	33	9	6	3	6	5
Additional Commissioner, Nagpur, Nerbudda and Jubbulpore ...	422	484	431	165	384	85	74	52	29	48
Total ...	550	663	555	608	528	103	91	69	76	60

TABLE Q.

Work done by Deputy Commissioners.

District.	Original suits.					Miscellaneous suits.			Execution cases.			Insolvency cases.			Regular appeals.					Miscellaneous appeals.				
	1879.	1880.	1881.	1882.	1883.	1881.	1882.	1883.	1881.	1882.	1883.	1881.	1882.	1883.	1879.	1880.	1881.	1882.	1883.	1879.	1880.	1881.	1882.	1883.
Nagpur ...	6	5	7	...	1	...	...	...	9	2	...	...	...	...	293	290	97	204	185	19	11	1	8	10
Chanda ...	8	7	12	13	7	9	9	8	11	23	13	...	3	10	71	65	76	84	93	5	3	7	5	2
Bhandara ...	8	13	23	22	11	27	37	19	17	18	21	...	6	11	103	112	88	162	167	8	5	3	9	18
Wardha ...	4	5	2	1	4	41	30	2	4	...	3	...	...	...	248	221	251	293	132	22	12	2	17	8
Balaghat ..	16	3	4	2	1	39	37	49	7	6	1	...	...	2	51	33	88	69	87	1	1	4	...	1
Jubbulpore ...	6	11	14	11	8	104	68	11	22	19	19	...	..	...	111	150	91	149	165	1	4	4	5	2
Saugor ...	13	7	8	5	5	149	47	...	7	8	9	...	...	...	191	155	177	142	165	14	10	5	5	11
Damoh ...	7	3	2	7	17	15	32	8	2	3	6	1	...	2	82	80	87	103	134	4	7	2	1	4
Seoni ..	14	18	22	28	36	8	7	5	19	12	14	8	1	...	61	76	96	90	83	1	..	2	...	2
Mandla ...	7	4	5	4	9	5	...	2	7	7	12	...	1	1	38	31	23	16	17	1	4	4	...	...
Hoshangabad ...	5	15	18	9	...	50	18	...	21	9	3	1	...	...	475	331	315	194	196	40	21	11	5	19
Betul ...	21	16	8	14	22	69	61	14	12	9	26	1	3	...	114	140	118	151	181	4	3	5	2	...
Narsinghpur ...	15	12	36	29	18	67	38	8	18	40	30	...	...	...	246	254	289	288	355	10	13	15	14	33
Chhindwara ...	15	9	5	35	15	48	30	1	10	17	21	...	5	4	147	138	159	176	171	10	2	5	15	7
Nimar ..	16	34	20	14	15	14	26	60	26	25	17	...	10	7	181	225	243	204	204	10	10	18	12	9
Raipur ...	9	6	2	3	8	...	...	40	5	3	9	...	1	1	240	328	253	342	327	8	18	19	15	8
Sambalpur ...	35	47	16	10	33	49	72	58	1	6	20	8	7	7	194	282	268	267	290	12	15	8	8	3
Bilaspur ...	4	4	6	2	12	19	23	15	7	...	6	1	5	1	166	135	144	130	109	2	4	3	2	4
Total ...	209	219	210	209	222	713	535	300	205	207	230	20	42	46	3,012	3,046	2,863	3,064	3,061	172	143	118	123	141

TABLE R.

Work done by Assistant and Extra-Assistant Commissioners.

District.	Original Suits.					Miscellaneous Suits.			Execution Cases.			Insolvency Cases.			Regular Appeals.			Miscellaneous Appeals		
	1879.	1880.	1881.	1882.	1883.	1881.	1882.	1883.	1881.	1882.	1883.	1881.	1882.	1883.	1881.	1882.	1883	1881.	1882.	1883.
Nagpur ...	1,496	1,328	1,272	1,297	1,165	251	232	281	1,729	1,925	1,850	91	46	25	169	196	198	16	11	5
Chanda ...	642	880	590	951	733	140	149	118	607	705	581	4	...	...	..	1	...	...	...	...
Bhandara ...	998	1,509	1,060	1,258	1,103	154	168	193	880	962	959	3	...	...	...	...	...	...	...	...
Wardha ..	457	423	578	555	578	145	208	206	580	544	611	2	26	19	...	...	232	...	...	16
Balaghat ...	241	390	158	232	317	55	36	17	167	192	242	...	...	...	...	...	...	...	...	...
Jubbulpore ..	474	500	438	455	525	49	57	52	333	329	352	31	24	23	...	...	...	...	..	...
Saugor ..	546	465	357	478	540	82	96	90	409	442	534	...	..	...	...	...	...	...	...	...
Damoh ...	527	313	247	285	276	28	13	9	157	171	201	...	...	...	...	...	...	...	...	...
Seoni ...	204	164	201	184	216	9	30	34	151	188	223	...	...	...	...	...	...	...	...	...
Mandla ...	206	198	172	157	215	24	10	9	74	117	111	...	...	...	...	...	...	...	...	...
Hoshangabad ...	1,019	955	1,173	938	909	174	138	152	1,187	1,057	1,060	13	12	22	...	151	156	...	7	4
Betul ...	272	213	131	327	334	31	53	64	130	182	192	...	..	...	...	...	...	...	...	...
Narsinghpur ..	854	569	405	549	692	65	43	55	525	569	576	...	...	...	...	...	...	...	...	...
Chhindwara ...	526	557	447	376	462	73	49	44	383	281	329	...	...	...	...	...	...	...	...	...
Nimar ...	1,343	1,303	1,315	869	700	187	165	129	1,344	1,443	1,063	11	...	...	...	...	...	...	...	...
Raipur ...	692	595	629	663	802	43	59	56	395	527	446	1	3	2	47	...	...	2	...	...
Sambalpur ...	376	1,267	968	557	428	75	32	33	487	335	221	...	...	...	...	...	...	...	...	...
Bilaspur ...	210	442	720	719	359	37	66	21	300	511	260	...	...	...	...	...	...	...	...	...
Total ...	11,083	1,071	10,921	10,350	10,354	1.622	1,604	1,568	9,838	10,480	10,211	156	111	91	216	348	586	18	18	25

TABLE S.

Work done by Tahsildars and Naib Tahsildars.

District.	Original suits.					Miscellaneous suits.			Execution cases.		
	1879.	1880.	1881.	1882.	1883.	1881.	1882.	1883.	1881.	1882.	1883.
Nagpur ...	8,937	9,431	8,622	8,556	7,906	844	924	780	5,728	6,315	6,243
Chanda ...	2,523	2,789	3,311	3,739	3,171	235	208	263	1,560	1,852	2,141
Bhandara ...	2,599	2,984	3,564	4,715	3,795	214	378	323	1,341	2,123	2,085
Wardha ...	5,019	6,202	6,299	7,638	6,153	522	744	746	3,260	4,658	4,490
Balaghat ...	1,122	1,007	1,573	1,693	1,722	108	151	71	682	889	920
Jubbulpore ...	2,175	2,323	2,560	2,639	2,340	134	45	52	1,059	1,029	1,048
Saugor ...	2,755	2,713	2,744	2,737	3,506	151	119	236	1,319	1,319	1,843
Damoh ...	1,515	1,787	1,712	1,625	2,025	67	115	147	510	476	585
Seoni ..	1,752	1,821	1,683	1,459	1,578	61	77	68	769	749	697
Mandla ...	640	447	454	646	743	14	6	18	136	139	137
Hoshangabad ...	7,312	6,104	5,951	6,423	6,659	455	359	391	3,585	3,393	3,962
Betul ...	3,036	2,767	2,426	2,606	1,842	166	192	136	1,196	1,361	1,167
Narsinghpur ...	3,765	3,988	4,041	4,795	4,691	123	172	185	2,656	2,925	3,113
Chhindwara ...	2,951	3,165	3,221	3,186	3,170	145	117	117	1,750	2,083	1,756
Nimar ...	6,265	6,301	6,115	5,926	6,008	202	223	306	2,978	3,793	3,168
Raipur ...	5,137	5,783	5,611	5,418	5,078	99	113	122	1,844	2,738	2,366
Sambalpur ...	2,314	1,561	2,043	2,862	3,163	68	71	116	677	977	1,008
Bilaspur ...	2,326	3,071	3,187	3,071	3,359	29	27	46	818	934	937
Total ...	62,203	64,274	65,117	69,634	66,909	3,637	4,040	4,123	31,963	37,753	37,666

G.—Execution of Decrees.

Applications for execution.

21. The number of applications for execution of decrees has fallen off in ten out of the eighteen districts, while the others show an increase. On the whole, however, there has been a total decrease from 65,507 in 1882 to 61,663 in the year under review. The chief decrease has been in the Nagpur district, and the Deputy Commissioner thinks that it is due to the fact that the increase which occurred in 1882 was abnormal, and was due to the exceptionally good harvest in that year, which induced creditors to come into Court and execute many old decrees which had been given up as bad debts. This explanation is supported by the large percentage of wholly infructuous decrees of 1882, some of which remained pending to this year, and have now been struck off owing to non-payment of process fees. None of the other District reports contain any reference to this point, but the explanation given by the Deputy Commissioner, Nagpur, seems satisfactory so far as it goes.

Disposal of applications.

The proportion of applications disposed of as wholly infructuous, is in some districts very high. The provincial proportion was 39 per cent for 1882; yet in the year under review we find 51·9 per cent as so disposed of in Nagpur, while in Wardha the number reached the abnormally high figure of 60·7 per cent. The only Deputy Commissioners who have analysed with care the figures of their districts, are those of Nagpur and Raipur; the former remarks, that upon examination of the records of applications struck off as wholly infructuous, the result was due in 1908 cases to non-payment of process fees, 610 cases to non-appearance of decree holders, 561 cases to no property being found, 895 cases to decree holders refusing to proceed. Thus in the majority of cases in which there was no execution, the decree holders must either have compounded out of Court, or have given up their claims as irrecoverable. It should be added that, out of the 561 cases in which no property was found, in only 94 were judgment-debtors imprisoned as against 128 last year. Considerable attention has been paid to this subject during the year, but in most cases it does not appear that the high percentage of wholly infructuous executions was due to any irregularity or carelessness in the procedure of the Courts.

The number of persons imprisoned was less than last year, and after reading through the district reports, there seems no reason to suppose that the provisions of the law in this respect are harshly used.

Insolvency.

The number of applications to be declared insolvents was also less and calls for no remark.

Process fees.

22. The figures relating to Process fees show no marked fluctuations from those of the last year. The matter is rather one of routine than of any general administrative interest, and as the quarterly returns are checked periodically by this office no comment seems called for here.

Transfer of Property Act.

23. The Transfer of Property Act has now been in force for more than a year, but it does not appear that it has so far very largely affected the extent of the litigation. The marked increase in foreclosure suits, the figures being 617 as against 368 in 1882, may be a result of the use of the foreclosure procedure prescribed by the Act; but as no reference is made in the report to this point, this is not quite certain. It is true that the Deputy Commissioner, Saugor, ascribes a portion of the increase of 950 suits, which occurred in his district, to the larger number of suits of this class which were filed during the year; but in this case the figures do not support his inference. Of the benefit which the Act will afford in cases of conditional sales there can be no question. The Officiating Judicial Commissioner hopes that in next year's report the working of important Acts, such as the Transfer of Property Act and the Central Provinces Tenancy Act, will be noticed by Deputy Commissioners and Assistant Commissioners. The information, if carefully given, would be of considerable value.

24. The office of Judicial Commissioner was held by Mr. R. J. Crosthwaite, from the 1st to the 5th of January, by Mr. Ward from the 5th of January to the 19th of April, and again by Mr. R. J. Crosthwaite from the 20th of April to the end of the year.

25. The Courts of the following districts were inspected by Mr. R. J. Crosthwaite during the year :—

Nagpur,	Seoni,	Balaghat.
Betul,	Chhindwara,	

I have the honor to be,

Sir,

Your most obedient Servant,

H. PRIEST,

Registrar.

PRESCRIBED.

STATEMENTS.

(Giving statistics of Civil and Revenue Suits and showing totals for each grade of Courts)

JUDICIAL STATEMENT No. 1—(Civil and Criminal.)

STATEMENT showing the number of Judicial Divisions and the number of Officers excercising Appellate or Original jurisdiction in the Central Provinces on the last day of the year 1883 with the cost of Tribunals.

Name of Province.			Area.	Population.	Number of Divisions for Courts under Chief Court but superior to Chief Courts of districts.	Number of districts.	Number of sub-districts.	Total number of officers excercising original or appellate jurisdiction. Judges of Chief Court of Provinces.	Judges of other Courts superior to Chief District Courts.	Judges of Chief Courts of districts.	Judges of District Courts other than Chief Courts.	Judges of other subordinate Courts.	Total number of cases decided. Original. Regular.	Original. Miscellaneous.	Appeals. Regular.	Appeals. Miscellaneous.	Total receipts of the Courts.	Total charges of the Courts.
1			2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
Central Provinces.	Territory subject to the High Court ...	Civil and Revenue	84,445	98,38,791	4	18	50	1	†5	18	36	98	96,358	6,666	4,577	240	8,24,867	12,15,389
		Criminal ...									36	117	23,914	1,735	1,169	29		
	Ditto not subject to the High Court ...	Civil and Revenue	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
		Criminal ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
	* Total		84,445	98,38,791	4	18	50	1	5	18	39	124	1,20,272	8,401	5,746	269	8,24,867	12,15,389

† One of these does no Criminal work.

NOTE.—Number of European and Native Judicial Officers excercising Appellate or Original jurisdiction.

The Civil grades are those described in Act XIV. of 1865. On the Criminal side, District Officers are included with 1st Class Magistrates.

CIVIL.

Naib-Tahsildars. Euro.	Naib-Tahsildars. Natives.	Judges of Small Cause Courts. Europeans.	Judges of Small Cause Courts. Natives.	Registrars of Small Cause Courts. Europeans.	Registrars of Small Cause Courts. Natives.	Courts of	1st Grade. Euro.	1st Grade. Natives.	2nd Grade. Euro.	2nd Grade. Natives.	3rd Grade. Euro.	3rd Grade. Natives.	4th Grade. Euro.	4th Grade. Natives.	5th Grade. Euro.	5th Grade. Natives.	6th Grade. Euro.	6th Grade. Natives.	7th Grade. Euro.	7th Grade. Natives.	8th Grade. Euro.	8th Grade. Natives.
0	39	6	0	0	2		0	5	0	46	5	3	1	14	2	8	18	2	5	0	1	0

CRIMINAL.

High Court Judges. Euro.	High Court Judges. Natives.	Sessions Judges. Euro.	Sessions Judges. Natives.	Magistrates.	1st Class. Euro.	1st Class. Natives.	2nd Class. Euro.	2nd Class. Natives.	3rd Class. Euro.	3rd Class. Natives.	Cantonment Magistrates. Euro.	Cantonment Magistrates. Natives.
1	0	4	0		24	30	10	83	1	19	4	0

* The total of columns 7 to 11 show the *actual number of individuals*, as required. As the same Officer has in some (but not in all) cases both Civil and Criminal powers, the figuret otal of colums 10 and 11 are higher than totals shown.

JUDICIAL STATEMENT No 7—(Civil.)

STATEMENT showing the number and description of Civil Suits instituted in the Civil Courts in the Central Provinces in the year 1883.

Class of Tribunals.	Suits for money or moveable property.										Suits under the Rent Law.								Title and other Suits.																			
	Contract in writing.	Contract not in writing.	On account stated.	Money had and received.	Goods sold.	Wages, work and materials.	Breach of contract not mentioned above.	Rent not falling under the Rent Law.	Moveable property or the value thereof.	Damages.	Arrears of rent with or without ejectment or cancelment of lease.	Enhancement or abatement of rent.	Relating to distraint.	Damages for extortion or withholding receipt or on account of illegal restraint, or other cause.	For Pattahs or kabuliyats.	For ejectment or recovery of possession.	For recovery of money or accounts from Agents.	All other suits under the Rent Law not included above.	Suits for immoveable property.	Suits for declaratory decrees.	Other suits under the Specific Relief Act.	Suits to declare and establish rights to real property including pre-emption, foreclosure, &c.	Suits to declare and establish personal rights.	Suits for an account.	Suits relating to religious endowments.	Suits to set aside judgments, contracts or obligations on the ground of fraud.	Suits for dissolution of marriage.	Suits for enforcement of matrimonial rights.	Suits for partitions.	Suits relating to Shipping.	Suits relating to religion and caste.	Administration suits.	Interpleader suits.	Dissolution of partnership.	Suits under Section 261, Act X, of 1865 (also Hindu Wills Act.)	Other suits not falling under any of the previous heads.	Grand Total.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38
COURTS IN THE INTERIOR.																																						
I.—CIVIL COURTS.																																						
Unpaid Tribunals	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Village Courts	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Paid Sub-Divisional Tribunals	36,163	14,281	1,733	597	5,407	1,071	1,926	634	3,462	2,115	...	...	...	...	...	...	...	...	495	...	3	...	5	...	...	...	...	2	...	...	...	...	...	...	...	...	67,804
Small Cause Courts	5,375	1,582	469	88	2,279	255	83	139	148	313	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	1	...	...	1	10,733
District Courts other than Chief Courts of Districts	3,483	558	244	89	248	50	128	17	322	311	...	...	...	...	...	...	...	...	3,852	162	83	592	57	49	1	57	15	332	7	...	4	...	1	1	...	42	10,706
Chief Courts of Districts	33	6	12	2	1	...	4	...	8	7	...	...	...	...	...	...	...	...	84	4	...	25	3	5	...	4	*2	21	3	...	...	...	...	...	...	4	228
Total...	45,054	16,422	2,458	686	7,935	1,38	2,141	790	3,940	2,7[illegible]	...	...	...	...	...	...	...	...	4,431	166	86	617	65	54	1	61	17	355	10	...	4	...	2	1	...	47	89,471
II.—REVENUE COURTS.																																						
Unpaid Local Tribunals	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Other Subordinate Courts	...	...	...	...	...	...	...	...	...	...	6,359	146	2	14	22	981	21	167	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	7,712
District Courts	...	...	...	...	...	...	...	...	...	...	123	182	2	3	22	104	11	146	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	593
Total...	...	...	...	...	...	...	...	...	...	...	6,482	328	4	17	44	1085	32	313	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	8,305
COURTS AT THE PRESIDENCY OR SEAT OF GOVERNMENT.																																						
Presidency Small Cause Courts	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Superior Courts	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Total...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Grand Total...	45,054	16,422	2,458	686	7,935	1,382	2,141	790	3,940	2,746	6,482	328	4	17	44	1085	32	318	4,431	166	86	617	65	54	1	61	17	355	10	...	4	...	2	1	...	47	97,776

*Includes one suit tried by the Commissioner's Court.

JUDICIAL STATEMENT No. 8.—(Civil)

STATEMENT showing number and value of suits instituted in the Civil and Revenue Courts in the Central Provinces in the year 1883.

Value of suits.	Number of suits instituted in the different Courts.									Total value of suits.	REMARKS.
	Not exceeding Rs. 10.	Do. Rs. 50.	Do. Rs. 100.	Do. Rs. 500.	Do. Rs. 1,000.	Do. Rs. 5,000.	Do. Rs. 10,000	Exceeding Rs. 10,000.	Number of suits, the value of which cannot be estimated in money.		
1	2	3	4	5	6	7	8	9	10	11	12
COURTS IN THE INTERIOR.											
I.—CIVIL COURTS.											
Unpaid tribunals	...	...	...	...	...	...	...	...	...	...	
Village Courts	...	...	...	...	...	...	...	...	...	...	
Paid Sub-Divisional tribunals	19,496	36,294	8,138	3,876	...	...	...	...	...	22,31,738	
Small Cause Courts	3,272	5,213	1,227	979	42	...	...	...	...	4,69,006	
District Courts other than Chief Courts of districts..	1,146	2,185	2,058	4,091	771	428	22	5	...	27,43,708	
Chief Courts of districts	1	6	27	14	17	124	28	11	...	11,32,077	
Total.....	23,915	43,698	11,450	8,960	830	552	50	16	...	65,76,529	
II.—REVENUE COURTS.											
Unpaid tribunals	...	...	...	...	...	...	...	...	...	...	
Other subordinate Courts	2,863	3,994	879	467	25	15	...	...	...	2,84,863	
Collectors Courts	39	2	3	12	3	3	...	...	...	11,523	
Total.....	2,902	3,996	882	479	28	18	...	...	...	2,96,386	
COURTS AT THE PRESIDENCY OR SEAT OF GOVERNMENT.											
Presidency Small Cause Courts	...	...	...	...	...	...	...	...	...	...	
Superior Courts..	...	...	...	...	...	...	...	...	..	...	
Total.....	...	...	...	...	...	...	...	...	...	...	
Grand total.....	26,817	47,694	12,332	9,439	858	570	50	16	...	68,72,915	

JUDICIAL STATEMENT No 9—(Civil.)

STATEMENT showing the general result of the trial of Civil and Revenue cases in the Courts of original jurisdiction in the Central Provinces in the year 1883.

PART I.—CIVIL SUITS.

Class of Courts.	Total number of suits before the Courts.	Number of suits disposed of: Transfer to Courts in other Provinces.	Without trial.	Without contest: Compromised.	Decreed on confession.	Decreed exparte.	Dismissed exparte.	On reference to arbitration: For plaintiff.	For defendant.	With contest: Judgment for plaintiff in whole or in part.	Judgment for defendant.	Pending at the close of the year.	No. of cases pending more than 3 months at the close of the year.	Average duration of suits: Contested.	Uncontested.	REMARKS.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
COURTS IN THE INTERIOR.																
I.—CIVIL COURTS.																
Unpaid Tribunals	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Village Courts	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Paid Sub-Divisional Tribunals	71,637	...	14,422	8,610	15,709	10,954	645	62	16	12,443	4,126	4,728	11	38·5	27·3	
Small Cause Courts	11,305	4	1,981	1,321	2,734	2,091	95	15	3	1,830	728	571	1	25·5	19·7	
District Courts, other than Chief Courts of Districts	11,554	...	1,940	733	1,514	1,370	66	45	8	3,152	1,579	1,200	22	56·9	36·1	
Chief Courts of Districts	†259	...	27	19	15	20	1	3	...	96	45	36	7	75·8	41·0	
Total...	94,755	4	18,320	10,683	19,972	14,435	807	125	27	17,521	6,478	6,535	41	41·8	26·9	
II.—REVENUE COURTS.																
Unpaid Local Tribunals	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Other Subordinate Courts	8,058	...	1,448	880	1,372	755	43	11	..	2,270	804	486	...	42·0	27·9	
District Courts *	639	..	144	57	31	36	2	3	...	219	77	73	1	62·6	33·4	
Total...	8,697	...	1,592	937	1,403	791	45	14	...	2,489	881	559	1	43·8	28·3	
COURTS AT THE PRESIDENCY OR SEAT OF GOVERNMENT.																
Presidency Small Cause Courts	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Superior Courts	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Total...	...	...	...	...	..	...	...	...	...	...	...	...	...	...	...	
Grand Total...	1,03,452	4	19,912	11,620	21,375	15,226	852	139	27	20,010	7,359	7,094	42	43·8	28·3	

* Include Courts of Deputy Commissioners. † Include one Suit filed in Court of Commissioner.

JUDICIAL STATEMENT No. 9.—(Civil.)

STATEMENT showing the general result of the trial of Civil and Revenue cases in the Courts of original jurisdiction in the Central Provinces in the year 1883.

PART II.—MISCELLANEOUS CASES (JUDICIAL.)

Class of Courts.	Total number of cases before the Courts.	Number of Cases disposed of.										Pending at the close of the year.	Number of cases pending more than 3 months at the close of the year.	Average duration of Cases.		Remarks.
		Transferred to Courts in other Provinces.	Without trial.	Without contest.				On reference to arbitration.		With contest.						
				Compromised.	Decreed on confession.	Decreed exparte.	Dismissed exparte.	For Plaintiff.	For Defendant.	Judgment for Plaintiff in whole or in part.	Judgment for Defendant.			Contested.	Uncontested.	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
COURTS IN THE INTERIOR.																
I.—CIVIL COURTS.																
Unpaid Tribunals	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Village Courts	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Paid Sub-divisional Tribunals	4,252	...	1,055	131	434	477	187	14	19	1,187	619	129	...	25·5	20·4	
Small Cause Courts	480	3	250	5	5	13	23	1	1	71	84	24	1	17·3	7·1	
District Courts other than Chief Courts of Districts... ...	1,641	...	354	30	160	188	69	6	4	471	281	78	...	31·1	25·0	
Chief Courts of Districts	308	...	117	...	5	31	17	1	...	88	41	8	...	35·5	19·1	
Total ...	6,681	3	1,776	166	604	709	296	22	24	1,817	1,025	239	1	27·2	18·1	
II.—REVENUE COURTS.																
Unpaid Local Tribunals...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Other Subordinate Courts	207	...	68	14	12	6	6	...	...	63	34	4	...	41·5	25·1	
District Courts	23	...	3	...	1	2	...	...	...	12	3	2	...	32·8	17·6	
Total ...	230	...	71	14	13	8	6	...	...	75	37	6	...	34·0	18·0	
COURTS AT THE PRESIDENCY OR SEAT OF GOVERNMENT.																
Presidency Small Cause Courts..	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Superior Courts...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Total ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
GRAND TOTAL.....	6,911	3	1,847	180	617	717	302	22	24	1,892	1,062	245	1	27·3	20·1	

JUDICIAL STATEMENT No. 10.—(Civil.)

STATEMENT showing the business of the Civil and Revenue Appellate Courts of the Central Provinces in the year 1883.

PART I.—APPEALS.

Class of Courts.	Total number of appeals before the Courts.	Transferred to Courts in other Provinces.	Appeals summarily rejected.	Dismissed for default or otherwise not prosecuted.	HEARD *ex parte*.				CONTESTED.				Pending.	Of those pending more than 3 months.	Average duration of appeals.	Objections under Section 561 Act X of 1877.
					Confirmed.	Modified.	Reversed.	Remanded.	Confirmed.	Modified.	Reversed.	Remanded.				
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
COURTS IN THE INTERIOR.																
Appeals from original decrees.—																
A.—CIVIL COURTS.																
Chief Appellate Courts other than Chief Court of District	625	...	46	55	10	7	5	5	215	85	120	38	39	...	39·2	...
Chief Apellate Courts of Districts	3,366	...	416	275	73	21	69	39	1,267	283	446	172	305	4	35·4	8
Superior Appellate Courts other than Chief Court of Province.. ...	681	...	4	27	9	4	5	3	342	51	69	25	142	20	93·2	...
Total ...	4,672	...	466	357	92	32	79	47	1,824	419	635	235	486	24	43·7	...
B.—REVENUE COURTS.																
Collector's Apellate Courts....	319	...	22	27	5	6	6	4	120	19	68	20	22	...	29·4	...
Commissioner's Appellate Courts..	512	...	5	20	15	4	5	5	189	41	61	46	121	11	68·8	...
Total ...	831	...	27	47	20	10	11	9	309	60	129	66	143	11	54·7	...
COURTS AT THE PRESIDENCY OR SEAT OF GOVERNMENT.																
Chief Court of Province.... Appeals from original decrees	...	...	...	...	...	...	...	...	...	...	...	...	...	...		...
Chief Court of Province.... Appeals from appellate do. ..... Civil ...	593	...	199	19	9	2	8	4	137	24	48	25	118	22	94·9	...
Chief Court of Province.... Appeals from appellate do. ..... Revenue..	38	...	15	4	...	...	2	...	5	...	4	1	7	2	64·8	...
Total ...	631	...	214	23	9	2	10	4	142	24	52	26	125	24	93·1	...
GRAND TOTAL ...	6,134	...	707	427	121	44	100	60	2,275	503	816	327	754	52	49·7	8

NOTE.—The revenue appeals in the Commissioners' Courts have been shown under "B—Revenue Courts."

JUDICIAL STATEMENT No. 10.—(Civil.)

STATEMENT showing the business of the Civil and Revenue Appellate Courts of the Central Provinces in the year 1883.

PART II.—MISCELLANEOUS APPEALS.—(JUDICIAL.)

Class of Courts.	Total number of appeals before the Courts.	Transferred to Courts in other Provinces.	Appeals summarily rejected.	Dismissed for default or otherwise not prosecuted.	Heard *ex parte*.				Contested.				Pending.	Of those pending more than 3 months.	Average duration of appeals.	Objections under Section 561 Act X. of 1877
					Confirmed.	Modified.	Reversed.	Remanded.	Confirmed.	Modified.	Reversed.	Remanded.				
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
COURTS IN THE INTERIOR.																
Appeals from original decrees.—																
A.—CIVIL COURTS.																
Chief Appellate Courts other than Chief Court of District	28	...	1	6	4	...	...	2	3	...	5	4	3	...	33·0	...
Chief Apellate Courts of Districts	147	...	4	18	14	2	11	2	48	9	26	12	6	...	29·5	...
Superior Appellate Courts other than Chief Court of Province ..	63	...	6	4	17	...	2	1	19	...	8	3	3	...	59·5	...
Total ...	238	...	11	23	35	2	13	5	70	9	39	19	12	...	38·0	...
B.—REVENUE COURTS.																
Collector's Apellate Courts	24	...	...	1	1	1	1	...	12	...	4	2	2	...	25·5	...
Commissioner's Appellate Courts..	17	...	...	...	2	...	4	1	2	...	5	...	3	...	51·6	...
Total ...	41	...	...	1	3	1	5	1	14	...	9	2	5	...	35·6	...
COURTS AT THE PRESIDENCY OR SEAT OF GOVERNMENT.																
Chief Court of Province... Appeals from original decrees	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Chief Court of Province... Appeals from appeallate do.	49	...	...	2	17	...	...	...	11	1	5	...	13	...	108·7	...
Total ...	49	...	...	2	17	...	...	...	11	1	5	...	13	...	108·7	...
GRAND TOTAL ...	328		11	26	55	3	18	6	95	10	53	21	30		46·2	

NOTE.—The revenue appeals in the Commissioners' Appellate Courts have been shown under "B—Revenue Courts."

JUDICIAL STATEMENT No. 11—(Civil.).

STATEMENT showing the result of proceedings on applications for the execution of the decrees of the Civil and Revenue Courts in the Central Provinces in the year 1883.

CLASS OF COURTS.	Total number of applications for the execution of decrees before the courts.	Applications disposed of				Pending at the end of the year.	Number of applications pending more than three months at the close of the year.	Amounts realized.		Number of applications.											
		By transfer.	Satisfaction obtained in full.	Satisfaction obtained in part.	Wholly infructuous.			With the issue of processes.	Without the issue of processes.	On which the judgment debtor was imprisoned.	On which he was arrested but released without imprisonment	On which moveable property.		On which immoveable property.			On which possession was given.		On which specific performance was enforced.	On which partition was effected.	On which execution was effected otherwise than as in the preceeding columns.
												Was sold.	Was attached but subsequently released.	Was sold.	Was dealt with under Sects. 305, 322 or 326, Act XIV of 1882.	Was attached but subsequently released under Section 275.	of moveables.	of immoveables.			
1	2	3	4	5	9	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
COURTS IN THE INTERIOR.																					
I.—CIVIL COURTS.																					
Unpaid Tribunals	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Village Courts	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Paid Sub-divisional Tribunals ...	42,238	874	10,487	8,679	17,626	4,572	122	3,73,804	39,081	277	1,377	3,515	4,435	2,381	632	2,920	86	122	1	5	5
Small Cause Courts	7,988	798	1,681	1,568	3,273	668	52	53,833	2,331	81	653	515	449	...	...	...	...	...	...	...	...
District Courts other than Chief Courts of Districts	11,158	432	2,770	2,391	4,218	1,347	87	3,45,918	29,613	76	259	808	778	589	390	867	77	998	26	1	7
Chief Courts of Districts	279	35	59	65	71	49	14	35,069	11,453	3	3	25	24	17	26	28	1	28	...	...	...
Superior Courts	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Total...	61,663	2,139	14,997	12,703	25,188	6,636	275	8,08,624	82,478	437	2,292	4,863	5,686	2,987	1,048	3,815	164	1,148	27	6	12
II.—REVENUE COURTS.																					
Unpaid Local Tribunals	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Other Subordinate Courts	3,229	29	1,362	534	1,006	298	18	40,671	6,879	18	75	236	434	96	49	218	32	129	56	...	2
District Courts	238	...	134	36	45	23	2	8,070	554	3	1	6	18	5	...	8	2	39	...	...	...
Total...	3,467	29	1,496	570	1,051	321	20	48,741	7,433	21	76	242	452	101	49	226	34	168	56	...	2
COURTS AT THE PRESIDENCY OR SEAT OF GOVERNMENT.																					
Presidency Small Cause Courts ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Superior Courts	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Total...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Grand Total...	65,130	2,168	16,493	13,273	26,239	6,957	295	8,57,365	89,911	458	2,368	5,105	6,138	3,088	1,097	4,041	198	1,316	83	6	14

JUDICIAL STATEMENT No. 12.—(Civil.)

STATEMENT showing the number and result of applications and proceedings under Chapter XX., Act X. of 1877, in the Central Provinces, in the year 1883.

CLASS OF COURTS.	Applications for a declaration of Insolvency.								Number of insolvents discharged during the year under Section 355.	Number of insolvents' estates in the hands of receivers in which proceedings were finally closed during the year.	Amount of creditors' claims dealt with during the year.		Gross amounts of insolvency assets realized and disbursed.		REMARKS.
	Total number for hearing.	Transferred to another Province, withdrawn, &c.	Granted.		Rejected.			Pending at the close of the year.			Admitted.	Satisfied.	Realized during the year.	Disbursed during the year.	
			A receiver being appointed.	A receiver not being appointed.	Penal proceedings under Section 359, not being taken.	Sentence of imprisonment being passed under Section 359.	Applicant being sent to the Magistrate to be dealt with.								
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16.
Courts other than Chief Courts of Districts	109	51	2	30	8	...	...	18	1	11	1,869	1,527	580	1,029	
Chief Courts of Districts	58	18	3	13	12	...	...	12	1	...	4,541	41	178	41	
Superior Courts	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Total	167	69	5	43	20	...	...	30	2	11	6,410	1,568	758	1,070	

JUDICIAL STATEMENT 13.—(Civil and Criminal)

(Showing use of Juries and Assessors in the Civil and Criminal Courts in the Central Provinces in the year 1883, is blanks as a Civil return)

ADDITIONAL

STATEMENTS.

[Giving statistics of Civil suits only, and showing totals for each District.]

Statement showing the number and description of suits instituted in the

Districts.	Suits for money or moveable property.												
	Contract in writing.	Contract not in writing.	On account stated.	Money had and received.	Goods sold.	Wages, work and materials.	Breach of contract not mentioned above.	Rent not falling under the Rent Law.	Moveable property or value thereof.	Damages.	Suits for immoveable property.	Suits for declaratory decrees.	Other suits under the Specific Relief Act.
1	2	3	4	5	6	7	8	9	10	11	12	13	14
Nagpur	9,627	2,123	323	119	2,298	200	224	140	498	423	547	19	24
Chanda...	2,717	280	120	16	232	11	248	12	103	46	69	7	7
Bhandara	3,528	846	...	20	154	25	39	33	50	154	160	4	13
Wardha..	3,468	1,005	638	55	638	25	61	22	424	123	251	6	14
Balaghat	843	509	3	1	148	58	36	17	157	122	88	1	3
Jubbulpore	2,515	1,051	305	81	594	116	10	75	122	237	616	8	...
Saugor...	2,349	898	151	29	238	33	47	57	147	97	259	4	15
Damoh...	1,178	629	90	5	19	7	9	20	109	68	146	4	1
Seoni	696	470	16	20	136	45	143	16	97	68	91	...	...
Mandla....	213	307	39	40	126	19	13	8	135	42	11	...	...
Hoshangabad	3,777	1,480	201	49	415	298	255	79	361	131	478	15	...
Betul	954	432	66	37	155	49	50	19	188	111	96	4	...
Narsinghpur	3,389	687	74	21	85	119	17	63	467	71	491	7	...
Chhindwara	2,107	612	36	18	344	37	53	31	131	105	147	4	5
Nimar	3,986	807	216	91	924	133	224	96	130	119	155	59	...
Raipur...	1,714	1,719	132	73	588	73	304	40	425	320	363	1	1
Sambalpur	1,248	1,054	32	...	575	77	16	35	146	308	288	17	1
Bilaspur..	745	1,513	16	11	266	57	392	27	250	201	175	6	2
Comr. Jubbulpore Division...	...	...	...	...	...	...	...	...	...	...	...	...	...
Total.... 1883 ...	45,054	16,422	2,458	686	7,935	1,382	2,141	790	3,940	2,746	4,431	166	86
Total.... 1882 ...	46,486	16,449	2,618	762	8,210	1,372	3,754	970	4,259	2,552	4,004	174	84

STATEMENT No. II.—Exhibition of above

	Rs.													
Not exceeding	10	5,370	7,700	503	210	4,953	771	800	336	1,411	809	914	4	9
Ditto	50	26,215	7,111	1,073	302	2,517	500	1,024	362	1,841	1,260	1,408	7	15
Ditto	100	7,690	878	357	79	274	68	162	62	362	366	698	9	17
Ditto	500	5,220	610	435	69	181	39	137	27	270	262	1,054	139	40
Ditto	1,000	365	75	51	13	9	3	8	2	29	35	170	6	5
Ditto	5,000	169	41	34	12	1	1	10	1	26	12	169	1	...
Ditto	10,000	20	5	5	1	...	...	...	...	...	2	11	...	...
Exceeding	10,000	5	2	...	...	...	...	...	...	1	...	7	...	...
Total... 1883...		45,054	16,422	2,458	686	7,935	1,382	2,141	790	3,940	2,746	4,431	166	86
Total... 1882...		46,486	16,449	2,618	762	8,210	1,372	3,754	970	4,259	2,552	4,004	174	84

No. I.

Civil Courts in the Districts of the Central Provinces, during the year 1883.

Title and other suits.																Remarks.
Suits to declare and establish rights to real property, including pre-emption, foreclosure, &c.	Suits to declare and establish personal rights.	Suits for an account.	Suits relating to religious endowments.	Suits to set aside judgements, contracts or obligations on the ground of fraud.	Suits for dissolution of marriage.	Suits for enforcement of matrimonial rights.	Suits for partition.	Suits relating to shipping.	Suits relating to religion and caste.	Administration suits.	Interpleader suits.	Dissolution of partnership.	Suits under Section 261, Act X. of 1865, (also Hindu Wills Act.)	Other suits not falling under any of the previous heads.	Total.	
15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	
110	13	9	...	14	5	59	1	...	1	...	1	...	...	8	16,786	
...	7	1	...	1	1	16	2	...	...	...	...	...	...	4	3,900	
32	3	14	...	3	1	18	...	...	...	...	...	...	...	2	5,099	
50	14	1	...	...	2	19	...	...	...	...	...	...	...	2	6,818	
2	...	1	...	..	2	23	...	...	...	...	...	...	...	...	2,014	
65	16	9	...	...	1	42	...	...	...	...	1	...	...	1	5,865	
19	1	...	...	1	1	9	...	...	...	...	...	...	...	...	4,355	
46	2	...	...	2	...	2	1	...	...	...	...	...	...	1	2,339	
...	...	...	...	3	...	20	...	...	...	...	...	...	...	1	1,822	
...	...	...	...	...	...	5	...	...	...	...	...	...	...	...	958	
...	1	11	1	6	2	23	...	...	3	...	...	...	...	1	7,587	
60	...	1	...	1	1	7	...	...	...	...	...	...	...	7	2,238	
6	3	2	...	6	...	17	...	...	...	...	...	...	...	3	5,528	
36	...	3	...	1	...	18	...	...	...	...	...	...	...	8	3,696	
2	...	1	...	3	...	35	...	...	...	...	...	...	...	1	6,982	
148	...	...	...	1	...	16	...	...	...	...	...	...	...	4	5,922	
19	2	1	...	11	...	14	3	...	...	...	...	...	...	...	3,847	
22	3	...	...	8	...	12	3	...	...	...	...	1	...	4	3,714	
...	...	...	...	...	1	...	...	...	...	...	...	...	...	.	1	
617	65	54	1	61	17	355	10	...	4	...	2	1	...	47	89,471	
368	39	39	5	108	18	316	12	...	4	...	...	1	...	44	92,648	

Grand Total in Detail of Values

																Number of suits instituted in different Courts.						Total value of suits (as computed under the Court Fee's Act.)
																Small Cause Court.	Naib-Tahsildar's Courts.	Courts of Tahsildars.	Courts of Assistant Commissioners.	Courts of Deputy Commissioners.	Courts of Commissioners.	
																31	32	33	34	35	36	37
121	1	...	...	...	...	...	...	...	...	...	...	...	...	3	23,915	3,272	15,424	4,072	1,146	1	...	1,37,862
44	7	1	...	10	...	...	...	...	...	...	...	...	...	1	43,698	5,213	27,219	9,075	2,185	6	...	11,10,517
56	4	1	...	12	5	342	...	...	3	...	...	...	...	5	11,450	1,227	...	8,138	2,058	27	...	8,13,282
305	44	37	...	32	12	11	4	...	1	...	2	1	...	28	8,960	979	...	3,876	4,091	13	1	17,25,739
38	5	4	...	5	...	2	2	...	...	...	...	...	...	3	830	42	...	...	771	17	...	5,83,277
50	4	9	1	2	...	...	3	...	...	...	...	...	...	6	552	...	...	...	428	124	...	10,98,188
3	...	2	...	...	..	...	1	...	...	...	...	...	...	...	50	...	...	...	22	28	...	3,35,322
...	...	...	...	...	...	...	...	...	...	...	...	...	...	1	16	...	...	...	5	11	...	7,72,342
617	65	54	1	61	17	355	10	...	4	...	2	1	...	47	89,471	10,733	42,643	25,161	10,706	227	1	65,76,529
368	39	39	5	108	18	316	12	...	4	...	...	1	...	44	92,648	11,996	41,341	28,284	10,808	219	...	59,75,660

STATEMENT

Statement showing the result of the trial of Original Suits

Districts.	For disposal					Dis			
	Remaining at close of previous year.	Re-instituted during the year (Sections 99, 108, 562, 623, Act XIV of 1882.)	Received by transfer from other Provinces during the year.	Instituted during the year (Section 58, Act XIV of 1882.)	Total.	Transferred to other Provinces.	Plaint rejected or returned after institution	Dismissed for default (Section 98, Act XIV of 1882.)	
								Number.	Percentage of total disposed of
1	2	3	4	5	6	7	8	9	10
Nagpur	888	390	3	16,393	17,674	4	104	2,470	14·9
Chanda	250	64	...	3,836	4,150	...	8	559	14·3
Bhandara	491	141	...	4,958	5,590	...	8	944	19·2
Wardha	467	328	...	6,490	7,285	...	28	1,193	17·7
Balaghat	141	53	...	1,961	2,155	...	20	380	18·6
Jubbulpore	373	52	...	5,813	6,238	...	44	1,175	20·0
Saugor	127	68	...	4,287	4,482	...	3	472	11·1
Damoh	85	64	...	2,275	2,424	...	4	482	20·8
Seoni	74	7	...	1,815	1,896	...	11	254	13·9
Mandla	33	3	...	955	991	...	3	204	21·1
Hoshangabad	446	105	...	7,482	8,033	...	48	1,567	20·7
Betul	107	63	...	2,175	2,345	...	11	454	20·7
Narsinghpur	247	143	...	5,385	5,775	...	43	989	18·3
Chhindwara	194	62	...	3,634	3,890	...	38	789	21·6
Nimar	464	109	...	6,873	7,446	...	27	1,842	27·3
Raipur	439	155	...	5,767	6,361	...	72	1,431	24·3
Sambalpur	213	79	...	3,768	4,060	...	44	564	15·6
Bilaspur	245	38	...	3,676	3,959	...	52	917	24·6
Commissioner, Jubbulpore Divn...	...	...	...	1	1	...	...	...	...
Total 1883 ...	5,284	1,924	3	87,544	94,755	4	568	16,686	18·9
Total 1882 ...	5,607	1,974	...	90,674	98,255	1	574	16,707	17·9

No. III.

in the Districts of the Central Provinces during the year 1883.

posed of.

Withdrawn with leave (Section 373, Act XIV of 1882.)	Compromised.		Decreed on confession (in full of claim.)		Decreed *ex parte*.					Contested and disposed of by			
						Dismissed *ex parte*.		Total.		Judgment for plaintiff.			
										In whole of claim.		In part of claim.	
	Number.	Percentage of total disposed of.	Number.	Percentage of total disposed of.	Decreed.	Number.	Percentage of total *ex parte*.	Number.	Percentage of total disposed of.	Number.	Percentage of total contested.	Number	Percentage of total contested.
11	12	13	14	15	16	17	18	19	20	21	22	23	24
274	2,014	12·1	4,339	26·2	3,319	86	2·5	3,405	20·5	1,837	46·1	1,174	29·4
98	276	7·1	1,306	33·4	886	33	3·6	919	23·5	392	52·6	192	25·8
95	435	8·9	1,131	23·0	1,027	97	8·6	1,124	22·9	493	42·1	448	38·2
72	729	10·8	1,244	18·5	1,516	47	3·0	1,563	23·2	752	39·5	814	42·7
24	115	5·6	544	26·7	272	61	18·3	333	16·3	232	37·2	208	33·3
71	735	12·5	1,148	19·6	662	46	6·5	708	12·1	819	41·3	455	23·0
42	861	20·3	977	22·9	581	17	2·8	598	14·1	567	43·7	401	30·9
9	444	19·2	423	18·2	260	3	1·1	263	11·3	320	46·2	200	28·8
21	327	17·9	392	21·4	132	16	10·8	148	8·1	258	38·1	235	34·7
12	197	20·4	222	23·0	82	6	6·8	88	9·1	99	41·1	75	31·1
56	842	11·1	1,278	16·9	1,361	122	8·2	1,483	19·6	921	40·1	619	27·0
36	298	13·6	433	19·7	297	9	2·9	306	13·9	251	38·0	216	32·7
22	404	7·5	1,301	24·1	805	15	1·8	820	15·2	841	46·2	583	32·0
21	440	12·1	866	23·7	615	18	2·8	633	17·4	384	44·6	225	26·2
52	397	5·9	1,675	24·8	1,182	93	7·3	1,275	18·9	735	49·9	365	24·8
61	1,064	18·1	1,028	17·5	713	70	8·9	783	13·3	480	33·1	468	32·3
19	405	11·2	1,028	28·4	377	22	5·5	399	11·0	448	38·5	407	34·9
81	700	18·8	637	17·1	348	46	11·7	394	10·5	309	32·6	297	31·3
...	...	...	...	...	...	...	...	...	...	1	100·0	...	...
1,066	10,683	12·1	19,972	22·6	14,435	807	5·3	15,242	17·3	10,139	42·2	7,382	30·8
1,240	11,479	12·3	21,895	23·6	1,5113	797	5·0	15,910	17·1	10,325	41·0	8,063	32·1

STATEMENT

Districts	Disposed of—Contd.					Pending.		
	Contested and disposed of by. Judgment for Defendant.		Total.					
	Number.	Percentage of total contested	Number.	Percentage of total disposed of.	Total.	Total.	Over two and not over three months.	Over three months.
	25	26	27	28	29	30	31	32
Nagpur	977	24·5	3,988	24·0	16,598	1,076	21	1
Chanda	161	21·6	745	19·0	3,911	239	6	1
Bhandara	231	19·7	1,172	23·9	4,909	681	63	...
Wardha	340	17·8	1,906	28·3	6,735	550	22	16
Balaghat	184	29·5	624	30·6	2,040	115	2	...
Jubbulpore	708	35·7	1,982	33·8	5,863	375	6	...
Saugor	330	25·4	1,298	30·5	4,251	231	1	3
Damoh	173	25·0	693	29·9	2,318	106	2	...
Seoni	184	27·2	677	37·0	1,830	66	1	...
Mandla	67	27·8	241	24·9	967	24	2	1
Hoshangabad	754	32·9	2,294	30·3	7,568	465	26	12
Betul	193	29·3	660	30·0	2,198	147	1	...
Narsinghpur	398	21·8	1,822	23.7	5,401	374	4	...
Chhindwara	251	29·2	860	23·6	3,647	243	...	1
Nimar	373	25·3	1,473	21·9	6,741	705	30	...
Raipur	501	34·6	1,449	24·6	5,888	473	78	...
Sambalpur	310	26·6	1,165	32·1	3,624	436	17	5
Bilaspur	343	36·1	949	25·4	3,730	229	18	1
Commissioner, Jubbulpore Division ...	...	...	1	...	1	...	...	...
Total 1883 ...	6,478	27·0	23,999	27·2	88,220	6.535	300	41
Total 1882 ...	6,775	26·9	25,163	27·1	92,969	5,286	132	37

III.—Continued.

Average.				Number of suits disposed of.									
Durations of suits in days and tenths.		Number of hearings in suits disposed of.						In which reference was made to arbitrators.					
Contested.	Uncontested.	Contested.	Uncontested.	Instituted in *forma pauperis* (Section 410, Act XIV. of 1882.)	In which commission issued for local investigation (Section 392, Act XIV. of 1882.)	In which a commission issued to investigate or adjust accounts (Section 394 Act XIV. of 1882.)	In which commission issued to make a partition (Section 396, Act XIV. of 1882.	Found for plaintiff.	Found for defendant.	In which any matter was decided on oath of party or witness.	In which any of those costs of a successful plaintiff which are not more than proportionate to the relief decreed are decreed against such plaintiff.	In which payment by installments was decreed (Section 210, Act XIV. of 1832.)	Remarks.
33	34	35		36	37	38	39	40		41	42	43	44
34·5	21·4	2·7	1·5	4	76	73	...	15	3	186	257	472	
41·4	27·9	3·6	2·0	3	10	6	...	5	1	10	28	120	
47·1	37·6	3·5	2·1	...	32	14	...	4	1	38	225	285	
47·4	31·9	3·7	2·2	3	36	40	...	2	...	65	51	278	
40·5	26·6	3·2	1·9	...	23	3	...	7	3	13	...	121	
38·6	24·9	2·3	1·5	1	28	6	...	7	...	29	192	134	
29·9	17·7	3·0	1·5	2	35	17	...	27	9	33	192	214	
31·9	25·2	2·9	1·4	2	15	8	...	7	...	6	13	114	
31·2	22·8	2·9	1·9	...	6	1	...	9	2	23	80	155	
29·7	20·7	2·9	1·7	...	2	1	...	2	2	11	48	27	
42·3	29·5	2·9	1·9	...	35	62	...	6	1	40	190	241	
30·8	20·1	3·4	2·1	...	22	8	...	9	1	12	44	57	
44·2	21·9	3·0	1·7	...	43	8	1	6	...	42	34	270	
31·6	21·4	2·7	1·6	...	32	5	1	6	1	25	20	299	
50·5	31·9	3·1	1·5	1	55	30	2	4	...	8	20	316	
53·4	32·2	4·0	2·8	2	145	9	...	5	...	33	20	214	
46·1	27·6	3·5	1·8	2	65	...	...	1	3	47	22	149	
49·9	35·2	3·3	1·8	1	38	10	...	3	...	56	71	39	
18·0	...	5·0	...	...	...	...	...	...	...	...	...	...	
41·8	26·9	3·1	1·8	21	698	301	4	125	27	677	1,507	3,505	
36·8	24·5	2·9	1·7	24	709	378	10	216	62	922	1,847	4,348	

STATEMENT No. IV.

Statement showing the General Result of the trial of Civil Cases in the Courts of Original Jurisdiction in the Districts of the Central Provinces during the year 1883.

PART II.—Miscellaneous Cases (Judicial.)

Districts.	Total number of cases before the Courts.	Number of cases disposed of											Pending at the close of the year.	Number of cases pending more than three months at the close of the year.	Average duration of cases.		Remarks.
		Transferred to Courts in other Provinces.	Without trial.	Without contest.				On reference to arbitration.		With contest.					Contested.	Uncontested.	
				Compromised.	Decreed on confession.	Decreed *ex parte*.	Dismissed *ex parte*.	For plaintiff.	For defendant.	Judgement for plaintiff in whole or part.	Judgment for defendant.						
1	2	3	4	5	6	7	8	9	10	11	12	13	14		15	16	17
Nagpur...	1,458	3	448	31	185	115	70	2	1	351	233	19	...		27·4	15·2	
Chanda...	404	...	83	18	61	35	13	...	2	92	85	15	...		26·4	20·5	
Bhandara	610	...	170	5	77	116	29	...	...	102	36	75	...		43·5	21·3	
Wardha...	991	...	182	18	122	225	73	2	5	239	88	37	...		41·8	24·9	
Balaghat	142	...	69	1	7	18	6	...	...	25	11	5	...		21·3	13·0	
Jubbulpore	197	...	74	1	7	6	2	...	...	55	41	11		1	30·5	28·4	
Saugor...	333	...	120	24	24	18	2	7	8	85	45	...	...		19·4	16·0	
Damoh...	172	...	35	3	...	1	6	...	...	87	32	8	...		20·5	17·1	
Seoni	107	...	23	2	2	...	...	...	...	37	43	...	...		14·4	12·6	
Mandla...	29	...	8	2	3	4	...	...	1	6	5	...	...		9·9	11·9	
Hoshangabad	550	...	149	19	24	62	45	...	...	150	94	7	...		17·4	12·4	
Betul	217	...	43	7	23	14	2	...	...	91	34	3	...		19·1	16·0	
Narsinghpur	248	...	37	7	16	22	5	...	...	108	53	...	...		27·2	18·8	
Chhindwara	179	...	52	11	11	18	11	...	...	42	17	17	...		25·2	17·9	
Nimar	534	...	127	1	9	25	1	...	...	206	126	39	...		27·4	27·8	
Raipur...	221	...	60	6	8	9	3	2	3	85	42	3	...		32·5	24·0	
Sambalpur	207	...	72	5	13	12	24	7	4	44	26	...	...		17·2	5·7	
Bilaspur	82	...	24	5	12	9	4	2	...	12	14	...	...		31·3	27·9	
Total ... 1883...	6,681	3	1,776	166	604	709	296	22	24	1,817	1,025	239		1	27·2	18·1	
Total ... 1882...	6,907	3	1,874	194	775	812	267	28	29	1,721	1,034	170		2	26·7	18·2	

STATEMENT No V.

Statement showing the business of the Civil Appellate Courts of the Central Provinces during the year 1883

PART 1.—Appeals from Decrees.

Courts.	For disposal.				Disposed of.												Pending.		Number of cases in which objections under Section 561, Act XIV. of 1882 were.		Average duration of each appeal tried.	Remarks.
							Heard *ex parte*.					Contested.										
							Confirmed.			Reversed.				Reversed.								
	Remaining at close of previous year.	Received by transfer from other Provinces.	Instituted or re-admitted.	Total (columns 17, plus 18).	Transferred to other Provinces.	Dismissed for default, or under Sections 556, 557, Act XIV. of 1882.	Without notice to respondent.	After notice to respondent.	Modified.	Without remand under Section 562, Act XIV. of 1882.	And remanded under Section 562, Act XIV. of 1882.	Confirmed.	Modified.	Without remand under Section 562, Act XIV. of 1882.	And remanded under Section 562, Act XIV. of 1882.	Total.	Total.	Over three months.	Preferred.	Allowed (because successfully maintained.)		
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23
Judicial Commissioner's Court ...	128	...	465	593	...	19	199	9	2	8	4	137	24	48	25	475	118	22	...	...	94·9	
Commissioner, Nagpur Division ...	9	...	79	88	...	3	2	3	1	1	...	41	15	6	7	79	9	...	...	...	100·3	
Ditto Jubbulpore „ ...	10	...	15	25	...	...	...	...	...	...	...	10	2	10	1	23	2	...	...	...	92·2	
Ditto Nerbudda „ ...	17	...	5	22	...	1	...	...	...	...	...	11	1	5	2	20	2	2	...	...	121·0	
Ditto Chhattisgarh „ ...	2	...	41	43	...	...	1	4	1	...	3	14	6	2	2	33	10	...	...	...	45·4	
Additional Commissioner, Nagpur, Jubbulpore and Nerbudda Divisions ...	104	...	399	503	...	23	1	2	2	4	...	266	27	46	13	384	119	18	...	...	97·8	
Total in Courts of Commissioners ...	142	...	539	681	...	27	4	9	4	5	3	342	51	69	25	539	142	20	...	...	95·6	

STATEMENT No. V—(Continued.)

Statement showing the business of the Civil Appellate Courts of the districts of the Central Provinces during the year 1883.

PART I.—Appeals from decrees.

District.	For disposal.				Disposed of.												Pending.		Number of cases in which objection under Section 561, Act XIV of 1882 were.		Average duration of each appeal tried.	Remarks.
							Heard *ex parte*.					Contested.										
							Confirmed.			Reversed.				Reversed.								
	Remaining at close of previous year.	Received by transfer from other Provinces.	Instituted or re-admitted.	Total (Col. 17 plus 18.)	Transferred to other Provinces.	Dismissed for default, or under Sections 556, 557, Act XIV of 1882.	Without notice to respondent.	After notice to respondent.	Modified.	Without remand under S. 562, Act XIV. of 1882.	And remanded under S. 562, Act XIV. of 1882.	Confirmed.	Modified.	Without remand under S. 562, Act XIV. of 1882.	And remanded under S. 562, Act XIV, of 1882.	Total.	Total	Over three months.	Preferred.	Allowed (because successfully maintained.		
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23
Nagpur	40	...	368	408	...	56	4	...	1	5	...	181	32	95	9	383	25	...	...	...	34·1	
Chanda...	9	...	98	107	...	6	48	3	...	...	4	15	3	7	7	93	14	...	...	...	29·4	
Bhandara	46	...	139	185	...	20	11	5	...	3	2	44	29	34	19	167	18	...	...	...	64·3	
Wardha...	91	...	291	382	...	39	1	14	8	3	5	151	70	41	32	364	18	1	1	1	53·7	
Balaghat	6	...	85	91	...	6	2	...	...	1	...	51	11	13	3	87	4	...	...	...	24·3	
Jubbulpore	6	...	193	199	...	13	1	1	...	...	...	96	10	18	26	165	34	...	...	...	42·7	
Saugor...	6	...	200	206	...	8	...	...	...	...	...	88	14	37	18	165	41	...	...	...	38·2	
Damoh...	1	...	150	151	...	10	58	...	1	1	1	31	11	15	6	134	17	...	...	...	20·3	
Seoni	4	...	84	88	...	2	19	2	...	...	...	30	9	19	2	83	5	...	...	...	23·0	
Mandla....	...	...	18	18	...	4	3	1	...	1	...	6	1	1	...	17	1	...	...	...	19·1	
Hoshangabad	40	...	346	386	...	24	70	10	5	3	3	149	25	51	12	352	34	...	...	...	39·8	
Betul	19	...	168	187	...	11	12	6	1	1	...	88	21	38	3	181	6	...	...	...	32·0	
Narsinghpur	9	...	378	387	...	11	24	13	3	3	...	177	47	57	20	355	32	...	1	1	20·3	
Chhindwara	9	...	169	178	...	7	15	3	...	2	...	99	25	15	5	171	7	2	...	...	26·5	
Nimar	19	...	201	220	...	14	4	4	1	3	...	113	20	35	10	204	16	...	2	...	37·3	
Raipur...	23	...	336	359	...	46	59	14	7	14	9	93	16	40	29	327	32	...	...	...	36·0	
Sambalpur	34	...	276	310	...	44	115	4	1	32	20	22	10	36	6	290	20	...	...	...	34·7	
Bilaspur..	10	...	119	129	...	9	16	3	...	2	...	48	14	14	3	109	20	1	2	...	25·5	
Total 1883. Districts ...	372	...	3,619	3,991	...	330	462	83	28	74	44	1,482	368	566	210	3,647	344	4	6	2	35·7	
Total 1883. All Courts ...	642	...	4,623	5,265	...	376	665	101	34	87	51	1,861	443	683	260	4,661	604	46	6	2	52·5	
Total 1882 All Courts...	468	...	4,499	4,967	...	259	652	138	39	93	67	1,744	318	683	323	4,316	651	71	16	14	43·7	

STATEMENT No. VI.

Statement showing the business of the Civil Appellate Courts of the Central Provinces during the year 1883.

PART II.—Miscellaneous Appeals (Judicial).

Courts.	Total number of appeals before the Courts.	Transferred to Courts in other Provinces.	Appeals summarily rejected.	Dismissed for default or otherwise not prosecuted.	Heard *ex parte*.				Contested.				Pending.	Of these pending more than three months.	Average duration of appeals.	Objection under Section 561, Act XIV. of 1882.	Remarks.
					Confirmed.	Modified.	Reversed.	Remanded.	Confirmed.	Modified.	Reversed.	Remanded.					
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Judicial Commissioner's Court	49	...	...	2	17	...	...	...	11	1	5	...	13	...	108·7	...	
Commissioner Nagpur Division...	6	...	...	1	...	...	...	...	2	...	1	...	2	...	98·	...	
Ditto Jubbulpore „	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Ditto Nerbudda „	3	...	...	...	...	...	...	...	1	...	2	...	...	...	121·3	...	
Ditto Chhattisgarh „	5	...	1	...	...	...	...	1	1	...	...	2	...	...	37·0	...	
Additional Commissioner Nagpur, Jubblpore and Nerbudda Division...	49	...	5	3	17	...	2	...	15	...	5	1	1	...	54·8	...	
Total in Courts of Commissioners.....	63	...	6	4	17	...	2	1	19	...	8	3	3	...	59·5	...	

STATEMENT No. VI.—(Contd.)

Statement showing the business of the Civil Appellate Courts of the Districts of the Central Provinces during the year 1883.

PART II.—Miscellaneous Appeals (Judicial.)

Districts.	Total number of appeals before the Courts.	Transferred to Courts in other Provinces.	Appeals summarily rejected.	Dismissed for default or otherwise not prosecuted.	Heard *ex parte*.				Contested.				Pending.	Of these pending more than three months.	Average duration of appeals.	Objection under Section 561, Act XIV. of 1882.	Remarks.
					Confirmed.	Modified.	Reversed.	Remanded.	Confirmed.	Modified.	Reversed.	Remanded.					
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Nagpur...	15	...	...	4	...	...	...	1	6	...	2	2	...	...	29·0	...	
Chanda...	3	...	1	...	...	...	...	...	...	...	1	...	1	...	19·0	...	
Bhandara	18	...	...	...	3	...	1	...	7	2	2	3	...	...	36·6	...	
Wardha...	27	...	...	5	3	...	...	1	6	2	3	4	3	...	36·1	...	
Balaghat	1	...	...	...	...	...	...	...	...	...	1	...	...	...	21·0	...	
Jubbulpore	2	...	...	...	...	...	...	...	1	1	...	...	...	...	27·0	...	
Saugor...	11	...	...	1	...	...	...	...	8	...	2	...	...	...	31·0	...	
Damoh...	4	...	2	...	1	...	1	...	...	...	...	...	..	...	23·2	...	
Seoni	2	...	...	...	...	...	...	...	...	2	...	...	...	...	16·0	...	
Mandla...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Hoshangabad	23	...	1	3	5	...	..	1	5	...	5	3	...	...	40·3	...	
Betul	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Narsinghpur	37	...	...	2	2	1	5	1	8	...	13	1	4	...	14·5	...	
Chhindwara	8	...	...	2	...	...	2	...	1	1	...	1	1	...	21·4	...	
Nimar	9	...	1	1	...	...	...	...	5	...	1	1	...	...	39·0	...	
Raipur...	8	...	...	...	2	1	...	...	2	1	1	1	...	...	45·2	...	
Sambalpur	3	...	...	...	1	...	2	...	...	...	...	...	...	...	23·0	...	
Bilaspur	4	...	...	1	1	...	...	...	2	...	...	...	...	...	31·5	...	
Total for 1883... Districts ...	175	...	5	19	18	2	11	4	51	9	31	16	9	...	30·3	...	
Total for 1883... All Courts ...	287	...	11	25	52	2	13	5	81	10	44	19	25	...	47·8	...	
Total for 1882... All Courts ...	241	...	13	24	33	...	14	6	50	2	51	16	32	7	33·2	...	

STATEMENT No. VII.

Statement showing the result of proceedings on application for the execution of the decrees of the Civil Courts in the Districts of the Central Provinces during the year 1883.

Districts.	Total number of applications for the execution of decrees before the Courts.	Applications disposed of. By transfer. To Civil Courts.	Applications disposed of. By transfer. To Collectors.	Applications disposed of. Satisfaction obtained in full.	Applications disposed of. Satisfaction obtained in part.	Applications disposed of. Wholly infructuous.	Pending at the end of the year.	Number of applications pending more than three months at the close of the year.	Amount realized. With the issue of process.	Amount realized. Without the issue of process.	Number of applications. On which the judgement debtor was imprisoned	On which he was arrested, but released without imprisonment.	On which moveable property. Was sold.	On which moveable property. Was attached but subsequently released.	On which immoveable property. Was sold.	On which immoveable property. Was dealt with under. Section 305, Act XIV. of 1882.	On which immoveable property. Was dealt with under. Section 320, Act XIV. of 1882.	On which immoveable property. Was attached, but subsequently released under Section 275.	On which possession was given. Of moveables.	On which possession was given. Of immoveables.	On which specific performance was enforced.	On which partition was effected.	On which execution was effected otherwise than as in the preceding columns.	Remarks.
1	2	3		4	5	6	7	8	9	10	11	12	13	14	15	16		17	18	19	20	21	22	23
Nagpur	15,230	917	91	3,221	2,982	6,686	1,333	63	1,73,505	3,424	94	383	1,049	718	700	390	91	722	35	201	...	5	...	
Chanda	3,052	90	8	825	737	1,075	317	15	27.007	142	43	138	477	488	251	...	8	244	4	24	...	...	...	
Bhandara...	3,756	52	50	926	739	1,298	691	20	31,634	396	25	75	404	450	203	...	50	189	2	19	...	...	...	
Wardha	5,639	204	82	1,053	841	2,924	535	38	38,070	15,880	20	139	324	251	343	...	82	439	24	78	5	...	...	
Balaghat...	1,312	29	2	315	287	530	149	3	12,831	780	7	29	157	231	63	6	1	45	2	25	8	...	...	
Jubbulpore.	3,131	127	12	834	724	1,098	336	14	59,807	21,939	33	347	224	305	91	25	12	85	3	111	7	...		3
Saugor	2,708	36	11	843	719	907	192	3	46,377	1,592	20	182	186	289	158	19	38	220	1	67	1	...	...	
Damoh	903	2	12	323	229	226	111	9	15,347	701	5	19	65	45	64	3	12	35	1	57	...	...	...	
Seoni...	1,007	...	8	355	283	288	73	...	30,807	171	15	71	119	101	49	...	8	56	3	20	...	...		1
Mandla	274	10	2	103	63	82	14	4	10,038	221	4	12	18	34	17	2	...	23	...	2	1	...	...	
Hoshangabad	5,460	46	128	1,215	1,310	2,326	435	32	1,30,537	805	43	184	336	554	243	...	128	313	1	130	...	...		6
Betul...	1,562	18	11	303	355	698	177	1	4,837	17,528	3	14	106	191	71	...	11	211	11	51	...	1		2
Narsinghpur	4,235	12	64	800	1,160	1,683	514	25	25,156	1,021	40	85	336	677	306	...	64	447	60	137	...	...	...	
Chhindwara	2,414	...	35	564	615	892	308	2	32,254	296	19	113	292	326	157	...	35	290	2	46	...	.	...	
Nimar.	4,887	49	16	1,343	657	2,193	629	23	74,141	1,735	25	198	180	310	169	33	16	346	9	37	5	...	...	
Raipur	3,210	...	7	939	524	1,351	389	13	58,155	8,979	15	149	294	328	68	...	7	69	...	76	...	...	...	
Sambalpur..	1,481	3	...	531	252	463	232	3	19,979	263	15	87	168	290	21	...	3	55	4	18	...	...	...	
Bilaspur	1,404	2	3	504	226	468	201	7	18,142	6,605	11	67	128	98	13	1	3	26	2	49	...	...	...	
Total.. 1883...	61,665	1597	542	14,997	12,703	25,188	6,636	275	8,08,624	82,478	437	2,292	4,863	5,686	2,987	479	569	3,815	164	1,148	27	6	12	
Total.. 1882...	65,507	1,745		16,130	12,920	25,621	9,091	694	8,86,215	1,26,155	557	1,919	4,869	5,674	3,026	246		4,156	132	1,134	24	27	339	

Statement showing (1) the fees levied for, and (2) the charges incurred in, the service and execution during the

Districts.		(1) Fees Levied																
		On processes directed to be served by European bailiff (Special Rule I.)		On other processes issued.						For assisting in distraint (Special Rule III.)		Additional fees				Grand total of fees levied (columns 2 to 9.)	
		At Rs. 2 rate.	At Rs. 1 rate.	At Rs. 1 rate.	At As. 8 rate.		At As. 4 rate.					Under special Rule IV		Under special Rule V.			
1		2	3	4	5		6			7		8		9		10	
		Rs.	Rs.	Rs.	Rs.	As.	Rs.	As.		Rs.	As.	Rs.	As.	Rs.	As	Rs.	As.
Nagpur ...	Civil ...	42	148	6,455	5,111	0	17,523	8		...		84	15	...		29,364	7
	Revenue..	...	...	53	136	0	1,022	4		...		...		...		1,211	4
Chanda ...	Civil ...	...	...	1,178	1,898	8	3,548	12		5	8	22	12	10	8	6,664	0
	Revenue..	...	...	23	41	0	145	8		1	0	...		...		210	8
Bhandara ...	Civil ...	...	...	1,127	2,060	0	4,917	4		...		14	12	...		8,119	0
	Revenue..	...	...	44	112	0	296	12		...		...		...		452	12
Wardha ...	Civil ...	...	...	3,144	1,855	8	7,163	12		...		115	4	3	8	12,282	0
	Revenue..	...	...	106	75	0	971	12		...		...		...		1,152	12
Balaghat ...	Civil ...	...	...	285	810	0	1,769	8		...		0	10	...		2,865	2
	Revenue..	...	...	18	50	0	156	8		...		...		...		224	8
Jubbulpore ...	Civil ...	76	132	1,939	1,245	0	5,995	8		...		108	0	...		9,495	8
	Revenue..	2	...	253	133	8	1,069	4		...		8	0	...		1,465	12
Saugor ...	Civil ...	...	...	1,116	1,603	8	4,623	0		...		146	0	...		7,488	8
	Revenue..	...	...	67	88	0	367	4		...		1	8	...		523	12
Damoh ...	Civil ...	...	...	431	504	8	2,178	0		...		42	4	...		3,155	12
	Revenue..	...	...	60	36	8	215	4		...		3	12	...		315	8
Seoni ...	Civil ...	...	...	467	468	0	1,479	12		...		5	8	...		2,420	4
	Revenue..	...	...	26	27	8	165	0		...		...		...		218	8
Mandla ...	Civil ...	...	...	82	139	0	565	12		...		17	8	...		804	4
	Revenue..	...	...	9	13	8	68	8		...		1	4	...		92	4
Hoshangabad ...	Civil ...	...	...	3,115	2,204	0	6,951	0		...		434	8	55	4	12,759	12
	Revenue..	...	...	94	121	0	383	12		23	8	9	0	...		631	4
Betul ...	Civil ...	...	...	351	1,504	0	2,193	12		...		81	12	...		4,130	8
	Revenue..	...	...	23	66	8	158	4		...		1	8	...		249	4
Narsinghpur ...	Civil ...	...	...	1,234	2,901	8	5,528	0		...		14	0	33	8	9,711	0
	Revenue..	...	...	178	342	8	851	12		...		...		8	6	1,380	10
Chhindwara ...	Civil ...	...	...	795	1,301	0	4,110	8		...		74	8	...		6,281	0
	Revenue..	...	...	26	42	0	178	8		...		0	8	...		247	0
Nimar ...	Civil ...	...	...	1,649	2,055	0	5,415	0		...		86	0	6	4	9,211	4
	Revenue..	...	...	29	17	0	103	0		...		...		...		149	0
Raipur ...	Civil ...	...	...	984	1,314	0	4,622	12		...		...		...		6,920	12
	Revenue..	...	...	143	171	0	640	12		...		...		...		954	12
Sambalpur ...	Civil ...	...	...	790	973	0	2,493	8		...		13	12	...		4,270	4
	Revenue..	...	...	60	124	0	403	0		...		...		...		587	0
Bilaspur ...	Civil ...	...	...	428	654	8	2,581	8		2	0	12	4	...		3,678	4
	Revenue..	...	...	60	98	8	416	4		...		...		...		574	12
Total	Civil ...	118	280	25,570	28,602	0	83,660	12		7	8	1,274	5	109	0	1,39,621	9
	Revenue..	2	...	1,272	1,695	8	7,613	4		24	8	25	8	8	6	10,641	2
Grand Total...		120	280	26,842	30,297	8	91,274	0		32	0	1,299	13	117	6	1,50,262	11

No. VIII.

of processes issued out of the Civil and Revenue Courts in the Districts of the Central Provinces year 1883.

(2) Charges.												
Naib Nazirs.		Salary of European bailiff	Peons.						Contingencies.		Grand total of all charges (Columns 12, 13, 15, 17, 19, and 21.)	Remarks.
			1st Class at Rs. 10.		2nd Class at Rs. 8.		3rd Class at Rs. 6.					
Number.	Total salary.		Number.	Total salary	Number.	Total salary	Number.	Total salary	Heads of charges.	Amount.		(1) Number of processes re-issued without charge (Special Rule VI.)
11	12	13	14	15	16	17	18	19	20	21	22	23
	Rs.	Rs.	Rs.	Rs.	No.	Rs.	No.	Rs.		Rs.	Rs.	
11	2,279	720	13	1,558	12	1,152	112	7,790	Process forms, Registers, Other Stationery, Official postage, Servers' badges. Furniture, &c.	328	13,827	404
3	450	...	1	117	4	359	30	1,832		29	2,787	27
2	360	...	3	360	4	376	32	2,216		78	3,390	449
5	901	...	3	348	4	372	38	2,640		240	4,501	...
1	179	...	1	120	1	69	15	798		96	1,262	29
2	420	720	6	674	4	347	34	2,409		253	4,823	223
4	793	...	3	313	4	370	43	2,759		297	4,532	32
2	412	...	4	303	1	21	19	1,344		25	2,105	...
1	181	...	3	360	1	80	18	1,186		20	1,827	...
...	...	...	1	91	...	...	10	620		15	726	54
4	777	...	9	1,031	2	125	41	3,093		32	5,058	...
2	402	...	2	158	1	87	24	1,232		29	1,908	...
3	588	...	4	480	5	480	35	2,348		142	4,038	191
2	420	...	4	479	3	282	20	1,829		26	3,036	105
2	420	...	6	653	2	120	24	1,787		58	3,038	...
3	598	...	2	240	3	287	39	2,563		...	3,688	506
2	414	...	2	239	2	191	14	1,359		...	2,203	447
2	354	...	2	240	2	192	36	1,903		...	2,639	978
51	9,948	1,440	69	7,764	55	4,910	584	39,708		1,668	65,438	3,445

STATEMENT No. IX.

PROCEEDINGS IN INSOLVENCY UNDER CHAPTER XX., ACT XIV OF 1882, IN THE DISTRICTS OF THE CENTRAL PROVINCES DURING THE YEAR 1883.

PART I.—Showing the number and result of applications under Section 344, and the number of insolvents before the Court.

Districts.	Applications for a declaration of insolvency.															Persons declared to be insolvents.									Remarks.
	Number of applications dealt with.						Applications disposed of.									Number of insolvents before the Court.				Disposed of					
		Filed during the year.							Granted.		Rejected.											Discharged.			
		By Judgment debtors.																							
	Pending at the close of the previous year.	Under arrest or imprisonment.	Not under arrest or imprisonment.	By decree holders.	Received by transfer.	Total.	Transferred.	Withdrawn or otherwise not prosecuted.	A receiver being appointed.	A receiver not being appointed.	Penal Proceedings under Section 359 not being taken.	Sentence of imprisonment being passed under Section 359.	Applicant being sent to the Magistrate to be dealt with.	Total	Pending at the close of the year.	Remaining at the close of the previous year.	Declared to be insolvents during the year.	Received by transfer.	Total	Transferred.	Died.	Under Section 351.	Under Section 355.	Remaining at the close of the year.	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26
Nagpur...	11	23	1	...	...	35	...	11	1	11	2	...	...	25	10	13	14	...	27	...	...	23	1	3	
Chanda...	2	11	2	...	...	15	...	5		5	...	...	...	10	5	2	5	...	7	..	...	5	...	2	
Bhandara	...	13	1	...	...	14	...	4	2	3	2	...	...	11	3	...	4	...	4	...	...	4	...	...	
Wardha...	5	2	14	...	...	21	...	9	...	8	2	...	...	19	2	...	8	...	8	...	...	8	...	...	
Balaghat	...	1	1	...	.	2	...	2	...	...	...	...	...	2	...	...	...	...	...	...	...	...	...	...	
Jubbulpore	3	17	6	...	...	26	...	15	1	5	2	...	...	23	3	...	6	...	6	...	...	6	...	...	
Saugor...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Damoh...	1	1	...	...	...	2	...	2	...	...	...	...	...	2	...	...	...	...	...	...	...	...	...	...	
Seoni	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Mandla...	...	1	..	...	...	1	...	...	...	1	...	...	...	1	...	...	1	...	1	...	...	1	...	...	
Hoshangabad	1	24	...	...	...	25	...	16	...	6	...	...	...	22	3	...	3	...	3	...	...	3	...	...	
Betul	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Narsinghpur	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Chhindwara	...	2	4	...	...	6	...	3	...	1	...	...	...	4	2	...	1	...	1	...	...	1	...	...	
Nimar	...	2	6	...	...	8	...	2	1	1	3	...	...	7	1	...	2	...	2	...	...	2	...	...	
Raipur...	...	2	1	...	...	3	...	...	...	1	2	...	...	3	...	...	1	...	1	...	...	1	...	...	
Sambalpur	...	8	...	...	...	8	...	...	...	1	6	...	...	7	1	...	7	...	7	...	...	6	1	...	
Bilaspur	...	...	1	...	..	1	...	...	...	...	1	...	...	1	...	...	...	...	...	...	...	...	...	...	
Total... 1883...	23	107	37	...	...	167	...	69	5	43	20	...	...	137	30	15	52	...	67	...	...	60	2	5	
Total... 1882...	18	125	31	2	...	176	...	71	14	32	35	1	...	153	23	11	51	...	62	...	...	37	6	16	

STATEMENT No. IX.

PART II.—Showing the number of Estates in the hands of receivers and the progress made in winding up.

Districts.	Number of insolvents' estates in the hands of receivers.				Amount of creditors' claims dealt with during the year.					Amount of insolvents' assets realized and outstanding.				Remarks.
	Pending at the close of the previous year.	Placed in charge of a receiver during the year.	Number of estates in regard to which proceedings were finally closed during the year.	Pending at the close of the year.	Unsatisfied and pending at the close of the previous year.	Admitted.	Disallowed.	Satisfied.	Unsatisfied and pending at the close of the year.	Amount of realized assets in the hands of receivers at the close of the previous year.	Gross amount realized during the year.	Total amount of disbursements.	Amount remaining in the hands of receivers at the close of the year.	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Nagpur	13	1	10	4	1,59,342	229	55	1,374	1,58,197	897	478	877	498	
Chanda...	...	...	...	...	.....	...	...	...	.....	...	...	...	...	
Bhandara	...	2	...	2	.....	3,769	722	30	3.739	...	167	30	137	
Wardha...	...	...	...	...	.....	...	...	...	.....	...	...	...	...	
Balaghat	...	...	...	...	.....	...	...	...	.....	...	...	...	...	
Jubbulpore	3	1	1	3	3,140	1,640	...	153	4,627	57	102	152	7	
Saugor...	...	...	...	...	.....	...	...	...	.....	...	...	...	...	
Damoh...	...	...	...	...	.....	...	...	...	.....	...	...	...	...	
Seoni	...	...	...	...	.....	...	...	...	.....	...	...	...	...	
Mandla....	...	...	...	...	.....	...	...	...	.....	...	...	...	...	
Hoshangabad	...	...	...	...	.....	...	...	...	.....	...	...	...	...	
Betul	...	...	...	...	.....	...	...	...	.....	...	...	...	...	
Narsinghpur	...	...	...	...	.....	...	...	...	.....	...	...	...	...	
Chhindwara	...	...	...	...	.....	...	...	...	.....	...	...	...	...	
Nimar	...	1	...	...	.....	772	...	11	761	...	11	11	...	
Raipur...	..	...	...	...	.....	...	...	...	.....	...	...	...	...	
Sambalpur	...	...	...	...	.....	...	...	...	.....	...	...	...	...	
Bilaspur..	...	...	...	...	.....	...	...	...	.....	...	...	...	...	
Total ... 1883	16	4	11	9	1,62,482	6,410	777	1,568	1,67,324	954	758	1,070	642	
Total ... 1882.....	12	13	8	16	1,69,362	9,213	1,643	21,000	1,57,575	6,156	15,969	21,470	655	

No. $\frac{1134}{55}$

FROM

LINDSAY NEILL, ESQUIRE, C. S.,

SECRETARY TO THE CHIEF COMMISSIONER,

Central Provinces.

TO

THE REGISTRAR,

JUDICIAL COMMISSIONER'S COURT,

Central Provinces.

Dated Nagpur, the 30th March 1885.

SIR,

I am directed to acknowledge the receipt of the report of the Judicial Commissioner on the administration of Civil Justice in these Provinces during the year 1884.

2. The number of Civil Courts open in the Provinces at the close of the year was three in excess of the number of last year, the accession to the Provincial strength being one Court of Assistant Commissioner, and 3 Courts of Naib Tahsildars: on the other hand, the Court of the Additional Commissioner was closed in August last. As a scheme for the re-organization of Civil Courts is now before the Government of India it is not necessary to discuss here the need for additional Court power.

3. The Local Bar appears to gain in strength and numbers. Five years ago it consisted of 4 Barristers-at-law, 2 Attorneys, and 69 Pleaders. Now it consists of 8 Barristers-at-law, one Attorney-at-law, and 85 Pleaders. No complaints of unprofessional conduct have been made against any of its members, and though the Judicial Commissioner records that too many Pleaders still fail to master the leading facts and details of the case entrusted to them, he points out that it rests mainly with the Courts to decide whether the presence of counsel shall facilitate or retard the disposal of cases. The tone of the Bar must always mainly depend on the attitude of the Judges, who should refuse to countenance those Pleaders who waste the time of the Court or otherwise neglect their clients' interests.

4. The number of suits instituted and re-instituted in 1884 is 101,193, against 89,470 in 1883.

This number exceeds the number of suits in any of the last four years. A large portion of this increase, namely 7283 suits, is due to the inclusion for the first time in the returns of suits which by virtue of the Tenancy Act are now tried by Civil Courts instead of Revenue Courts. Deducting this number from the

total institutions we have 93,910 as the sum of the civil litigation *proper* in 1884. Comparing this sum with the total for 1882 we find that the increase is only 1262 suits, although as compared with last year the rise is 4440.

5. An analysis of the district figures shows that the bulk of the increase occurred at certain places, such as Tirora, Warora, Dhamtari, Simga, Bargarh and Bilaspur, where there has been a more or less steady rise in litigation in the last four years under the influence of Railway extension and development of trade. In districts such as Wardha and Narsinghpur, where litigation generally reaches a high figure, the increase though present in Wardha, is not large, and in Narsinghpur there is a decrease. In the Jubbulpore, Nagpur and Kamptee Small Cause Courts there was a slight increase over the figures for 1883, and in the Saugor Small Cause Court a slight decrease.

6. The most noticeable fluctuations occur in the Chanda and Bhandara districts, and they have not been fully explained; but the rise in the number of suits instituted in the Brahmapuri Tahsili of Chanda (from 768 to 1073), and in the Sakoli Tahsili of Bhandara (from 738 to 1175), is doubtless to be ascribed to the appointment of Naib Tahsildars to these places.

7. Classified according to values it is found that of the 101,193 suits instituted 28 per cent did not exceed ten rupees in value; 49 per cent were valued for sums between ten and fifty rupees; 12 per cent were for sums between fifty and one hundred rupees: 10 per cent for sums between one hundred and five hundred rupees; and only 1 per cent for sums in excess of five hundred rupees. The relative value of suits instituted has therefore not greatly changed. There has been an increase of 1 per cent in the suits of lowest value and a corresponding decrease in suits of high value, the intermediate classes remaining unchanged. Comparing Table C. at page 9 with the similar Table on page 7 of the report for 1883, it is seen that while in 1883 there were only 1448 suits of values of over five hundred rupees, in 1884 there were 1497 such suits, and the 22 suits over Rs. 10,000 in value instituted in the present year appear to have been for large sums, the average value of each suit being stated at Rs. 115,706. It may be added that though the number of suits of small value shows considerable increase the average value of each such suit was one rupee higher than in 1883. The bulk of the suits instituted were for money due on a bond or contract in writing, such suits forming 45 per cent of the whole. Suits on unwritten contract gave a percentage of 17·5 and for goods sold 8·8.

8. The suits before the Courts were disposed of in the following proportions by the various classes of Judges:—

By Judges of Small Cause Courts	...	11,103	or 11·2	per cent.
„ Naib Tahsildars	...	47,759	„ 48·	„
„ Tahsildars	...	29,163	„ 29·3	„
„ Assistant Commissioners	...	11,195	„ 11·3	„
„ Deputy Commissioners	...	212	„ ·2	„

As usual, the Naib Tahsildars had to cope with growing work, and they disposed of nearly 48,000 cases or 48· per cent of the total litigation. There are now 42 Naib Tahsildars exercising Civil jurisdiction up to values of Rs. 50,

and as might have been anticipated from the character of the litigation and the small values of which it is composed, over three-fifths of the total institutions are in Courts of Naib Tahsildars.

9. The general results of trials are :

In	695	suits or	·7 per cent	the plaints were rejected or returned.
„	18,935	„	19·1 „	dismissal was ordered in default of appearance of parties.
„	1,000	„	1· „	leave to withdraw was granted.
„	11,476	„	11·5 „	compromises were effected.
„	21,399	„	21·5 „	decrees passed on confession.
„	16,217	„	16·3 „	„ *ex parte.*
„	979	„	1· „	dismissal was ordered in default of the appearance of plaintiffs.

The proportion of uncontested cases was 70·4, and the results in contested cases were that judgments in 12 per cent were given for the plaintiff in whole : in 9·1 per cent for the plaintiff in part, and in 7·8 per cent for the defendant in whole.

The percentage of contested cases is somewhat higher than in 1883, and this is probably due to the inclusion of cases formerly disposed of by the Revenue Courts. The Chief Commissioner is glad to note that the Judicial Commissioner does not consider that the percentage* of dismissals for default is excessive. At the same time the remarks made in your 12th paragraph indicate that in some Courts procedure is very defective. In Bilaspur especially postponements were apparently made without notice to parties, and the cases were then struck off for default. Such procedure evinces a wanton disregard of the public convenience and indifference to the interests of justice and to the often repeated instructions and warnings of the Judicial Commissioner. The Chief Commissioner will make further enquiry into this matter and also into the cases referred to by the Commissioner of the Nerbudda Division in the passage quoted by you. If Commissioners and Deputy Commissioners inspected the proceedings of the Subordinate Courts with greater frequence and care, the Judges who offend in this manner would mend their ways. At Raipur also inconvenience must have been caused, and the fact that over 100 applications were filed for reinstitution of suits shows this. The Chief Commissioner admits that owing to officers falling sick and other reasons changes in the Raipur staff were somewhat numerous, but such changes should not lead to a wholesale dismissal of suits. When changes of officers occur, the Commissioner should see that proper arrangements are made to prevent so far as may be possible inconvenience to suitors.

*19 per cent.

10. The average number of hearings has not materially varied, but durations have been somewhat longer and the highest durations in contested cases occurred in those Courts in which dismissals for default were specially numerous. The causes of these long durations lie in the careless and unintelligent procedure of some of the Courts, and can be prevented by closer scrutiny of their proceedings and by persistence in enforcing obedience to the law and to the orders of the High Court.

11. Although there was an increase in the number of appeals heard by Deputy Commissioners and Commissioners, the percentage of appeals to appealable cases was practically the same as in the preceding year. You remark that "the effect of the abolition of the Court of the Additional Commissioner has "been, no doubt, to throw a great increase of work upon the Divisional Com-"missioners." The Court of the Additional Commissioner was open for seven months in the year, and it does not appear from Table N. that the number of appeals disposed of by Commissioners was very great. The Chief Commissioner admits that the abolition of the Additional Commissioner's Court will throw too much work on Commissioners when the administrative work expected from them is considered. The scheme submitted to the Government of India for the re-distribution of Civil work will, it is hoped, provide adequate relief for them and for those Deputy Commissioners who at present have too much Civil appellate work.

12. The general results of appeals are that the Judicial Commissioner and the Commissioners modified and reversed a considerably larger percentage of judgments than in 1883, whilst Deputy Commissioners reversed slightly more.

There were 537 appeals disposed of by the Judicial Commissioner.

In 374 the judgments of the Courts appealed against were affirmed;
41 cases were remanded for re-trial;
in 33 „ the judgments of Courts were modified, and
„ 89 „ „ „ „ reversed.

Of 696 appeals disposed of by Commissioners—
in 434 the judgments appealed against were affirmed;
49 cases were remanded for re-trial;
in 77 „ the judgments of Courts were modified, and
„ 136 „ „ „ „ reversed.

Of 4414 appeals disposed of by Deputy Commissioners—
in 2764 the judgments appealed against were affirmed;
339 cases were remanded for re-trial;
in 480 „ the judgments of Courts were modified, and
„ 831 „ „ „ „ reversed.

The power to confirm a decision of a lower Court without sending it notice and without service of a notice on the respondent appears to have been somewhat excessively exercised by the Deputy Commissioners of Damoh, Betul, Mandla, Seoni, Chhindwara and Nimar. The Judicial Commissioner will no doubt take care that this power is properly used.

13. Applications for execution of decree have increased largely, following and proportionately surpassing the increase in original suits; but it must be borne in mind that in 1883 such applications decreased largely. The subject is somewhat summarily dealt with in the report, and the experience of the Deputy Commissioner of Raipur coincides with the apprehension expressed last year by the Chief Commissioner that sufficiently close control is not exercised over procedure in these cases with a view to reduce expenditure and delay. The per-

centage of wholly infructuous applications is generally high, and specially so in some districts, while the conclusion that applications are made with the sole view of keeping decrees alive can only be true to a limited extent.

14. Insolvency cases are comparatively few. The number of such proceedings dealt with during the last three years were—

	1882	1883.	1884.
By Deputy Commissioners ...	42	46	64
„ Assistants	111	91	115
Total ...	153	137	179

These cases occurred chiefly in the districts of Nagpur, Wardha, Jubbulpore, Hoshangabad, Nimar and Sambalpur. As the insolvency provisions of the Civil Procedure Code have now been in operation for a considerable number of years their nature and effect must be generally understood. The practice of renewing agreements and acknowledging old debts, however remote the prospect of payment may be, no doubt tends to keep down the number of applications to be declared insolvent.

In conclusion, I am to acknowledge the services of the Judicial Commissioner in controlling and inspecting the Courts. His inspections embraced seven districts, three of them being the distant districts of the Chhattisgarh Division.

I have the honor to be,

Sir,

Your most obedient Servant,

LINDSAY NEILL,

Secretary.

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No. 727 A.

FROM

THE REGISTRAR,

JUDICIAL COMMISSIONER'S COURT,

Central Provinces.

To

THE SECRETARY TO THE CHIEF COMMISSIONER,

Central Provinces.

Dated Nagpur, the 3rd March 1885.

SIR,

I have the honor to submit the Judicial Civil Statements for the year 1884 with the following remarks :—

(A.)—THE TRIBUNALS.

	1883.	1884.
Court of Judicial Commissioner	1	1
Do Commissioner	4	4
Do. Additional Commissioner ...	1	0
Do. Deputy Commissioner	18	18
Do. Assistant Commissioner	36	37
Do. Tahsildar	51	51
Do. Naib Tahsildar	39	42
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	158	161

1. The number of Civil Courts in these Provinces open at the close of 1883 and 1884 respectively are compared in the margin.

The abolition in August of the Court of the Additional Commissioner as a preliminary to the introduction of a more comprehensive scheme of relief renders it unnecessary to dwell in detail on the changes of the year. In the Nagpur Division a third Assistant has been posted to the Wardha District, with the view of affording Tahsildars more leisure for their executive duties. Judicial Naib Tahsildars have also been appointed at Brahmapuri in the Chanda District and at Sakoli in the Bhandara District. In the Nerbudda Division, the Assistant Commissioner at Pachmarhi has been replaced by a Judicial Naib Tahsildar, the Court of the Extra Assistant at Burhanpur has been re-opened, and it has been found necessary to invest both the Khandwa Naib Tahsildars with Judicial powers. Other changes are nominal only.

2. The Local Bar consists of eight Barristers-at-Law, (three of whom reside at Nagpur, two at Jubbulpore, two at Raipur, and one at Saugor), one Attorney-at-Law, and eighty-four Pleaders, distributed as follows :—

Nagpur	... 21	Jubbulpore	... 12	Seoni	... 1	Khandwa	... 2
Bhandara	... 3	Saugor	... 6	Hoshangabad	... 8	Burhanpur	... 1
Wardha	... 7	Rehli	... 1	Harda	... 4	Raipur	... 3
Arvi	... 1	Damoh	... 3	Narsinghpur	... 9	Sambalpur	... 2

At the examination of local candidates for admission as Pleaders, held at Nagpur in October under Act XVIII. of 1879, four candidates were successful.

3. The District reports refer generally in favourable terms to the standard of professional conduct and ability which has been maintained by the Local Bar during the year. The Officiating Judicial Commissioner does not wish in any way to gainsay the opinion thus expressed. In the majority of Districts, the number of professional advisers is still not so great as to give rise to any undue competition, and an intelligent advocate can always command a fair subsistence. It has been often remarked, and it cannot be too often repeated, that it rests mainly with the Courts to decide whether the presence of counsel shall afford assistance to the Judge or shall be merely a let and a hindrance to the prompt and proper disposal of contested suits. It is however a common experience that many Pleaders still fail to realize that it is their primary duty to grasp accurately and intelligently the details of any case in which they may be engaged, and that no hunting up of more or less relevant precedents will in any way atone for a deficiency in the above respect.

Holidays.

Summer vacation from 15th May to 15th June ..	32 days.
Sundays in 11 months ...	46 "
Civil Courts holidays ...	34 "
	112 days.

4. The Courts were open on 254 days during the year. The holidays are detailed in the margin.

B.—Extent and Character of Litigation.

I.—Number of Suits.

5. The two following Tables show A. the variations in the number of suits instituted and re-instituted in each District of the Provinces since 1862, and B. the same variations for each place where one or more Civil Courts are established, the figures in the latter case being limited to the last five years.

TABLE A.

Showing the number of suits instituted and re-instituted in each District of the Central Provinces from 1862 to 1884.

Year.	Nagpur. District.	Nagpur. City Small Cause Court.	Nagpur. Cantonment Small Cause Court, Kamptee.	Nagpur. Total.	Chanda.	Bhandara.	Wardha.	Balaghat.	Jubbulpore. District.	Jubbulpore. City Small Cause Court.	Jubbulpore. Contonment Small Cause Court.	Jubbulpore. Total.	Saugor. District.	Saugor. Cantonment Small Cause Court.	Saugor. Total.	Seoni.	Damoh.	Mandla.	Hoshangabad.	Betul.	Nimar. District.	Nimar. Cantonment Small Cause Court, Asirgarh.	Nimar. Total.	Narsinghpur.	Chindwara.	Raipur.	Bilaspur.	Sambalpur.	Upper Godavari.	Grand Total.
1862 ...	3,349	1,622	1,602	6,583	667	1,750	658	...	1,619	315	504	2,438	2,313	601	2,914	806	760	309	2,016	1,058	...	...	...	2,121	705	1,326	163	345	7	24,666
1863 ...	3,020	1,436	2,338	6,794	687	1,634	592	...	1,385	1,321	686	3,392	2,380	572	2,952	973	729	201	2,202	1,142	...	...	...	2,691	1,038	820	222	201	35	26,305
1864 ...	2,647	1,623	1,706	6,045	716	1,692	490	...	1,230	1,683	612	3,525	2,109	1,161	3,270	1,280	859	354	3,183	1,288	4,398	...	4,398	2,542	870	1,221	707	275	43	32,697
1865 ...	2,974	1,288	806	5,068	649	2,076	927	...	1,734	1,739	455	3,928	2,741	709	3,450	1,343	1,377	563	5,887	1,156	3,354	...	3,854	3,558	1,303	1,573	1,781	695	66	39,254
1866 ...	3,386	2,320	1,017	6,623	1,021	2,420	1,216	...	1,405	1,636	481	3,522	2,988	720	3,708	1,185	1,289	421	5,279	1,194	7,561	...	7,561	3,416	1,345	1,379	2,896	594	165	45,250
1867 ...	3,390	3,289	1,323	8,002	1,219	2,934	1,593	303	1,685	1,662	296	3,643	2,724	389	3,113	1,263	1,709	380	5,427	1,979	5,541	27	5,568	3,272	1,990	1,406	3,762	592	89	48,544
1868 ...	4,566	4,060	2,083	10,709	1,636	2,798	3,057	810	1,699	2,052	541	4,292	3,612	559	4,171	1,394	1,631	401	5,494	2,732	6,508	244	6,752	4,125	2,770	1,659	3,466	538	125	58,558
1869 ...	4,529	4,415	3,454	13,398	2,006	2,814	3,724	925	1,441	1,984	514	3,939	4,052	835	4,887	1,387	1,760	528	5,068	2,354	7,854	293	8,147	4,535	3,340	1,982	1,298	886	159	63,137
1870 ...	5,648	4,880	3,407	13,935	2,587	3,596	4,277	727	1,725	2,435	445	4,605	4,003	692	4,695	2,185	1,693	656	6,750	2,707	7,688	166	7,854	5,657	4,027	3,123	1,866	959	289	72,183
1871 ...	6,761	5,300	2,594	14,661	2,937	3,597	6,169	1,236	2,278	2,499	463	5,240	3,132	699	3,831	2,619	1,783	569	6,695	3,207	8,551	118	8,669	6,385	3,616	3,194	2,381	1,112	286	78,088
1872 ...	6,060	5,061	2,779	13,900	2,072	3,122	5,485	989	2,313	2,400	511	5,224	2,652	672	3,324	1,904	1,343	679	7,219	3,249	9,572	174	9,746	5,593	3,537	2,641	2,561	1,087	277	73,955
1873 ...	6,315	5,700	2,428	14,452	2,161	2,663	6,051	1,191	1,985	2,254	437	4,676	2,979	432	3,411	1,692	2,060	661	7,918	3,278	7,808	147	7,955	6,309	3,633	2,657	2,081	1,427	252	74,594
1874 ...	6,904	6,104	2,837	15,845	2,039	2,707	6,839	1,319	2,106	2,493	445	5,044	3,328	302	3,630	1,450	1,744	690	7,522	2,985	7,480	90	7,570	6,265	3,729	3,662	2,085	1,337	179	76,639
1875 ...	7,310	5,993	2,885	16,188	2,235	2,812	7,061	1,508	2,012	2,278	421	4,711	3,381	281	3,662	1,863	1,541	630	7,927	3,227	8,202	62	8,270	5,756	4,464	3,358	2,043	1,354	169	78,777
1876 ...	9,152	7,465	2,830	19,447	3,175	3,190	7,159	1,581	2,205	2,037	430	4,672	3,719	399	4,018	1,666	1,477	624	8,331	3,39[illegible]	8,454	84	8,538	4,967	4,391	4,838	2,885	1,812	108	86,267
1877 ...	10,244	7,401	3,189	20,834	3,085	3,681	6,400	1,795	2,015	2,219	456	5,290	4,190	300	4,490	1,841	1,940	772	8,344	3,216	7,469	97	7,566	5,146	3,969	5,326	2,868	1,784	137	88,484
1878 ...	9,105	8,301	3,493	20,899	2,754	3,074	4,549	2,800	2,427	2,508	454	5,389	3,810	297	4,107	1,815	1,500	557	7,175	2,516	6,436	57	6,493	4,351	3,200	4,790	2,576	1,738	...	79,783
1879 ...	10,411	7,944	2,939	21,194	3,175	3,668	5,641	1,339	2,690	2,801	553	6,044	3,284	190	3,474	2,345	1,640	847	8,372	3,268	7,674	69	7,743	4,604	3,429	5,774	2,481	2,533	...	87,862
1880 ...	10,900	8,402	2,511	21,813	3,768	4,541	6,591	1,446	2,790	2,664	399	5,853	3,241	223	3,464	2,364	1,751	646	7,082	3,069	7,736	66	7,802	4,568	3,844	6,332	3,552	2,893	...	91,379
1881 ...	9,881	7,668	1,990	19,539	4,002	4,817	6,849	1,798	3,039	2,696	262	5,997	3,110	155	3,265	2,019	1,940	650	7,213	25,56	7,479	34	7,513	4,722	3,646	6,426	4,005	2,946	...	89,903
1882 ...	9,731	6,758	1,931	18,420	4,689	6,029	8,317	1,923	3,024	2,760	341	6,125	3,211	167	3,378	1,826	1,894	803	7,449	2,949	6,870	39	6,909	5,308	3,623	6,018	3,780	3,408	...	92,648
1883 ...	9,221	5,622	1,943	16,786	3,900	5,099	6,818	2,014	2,913	2,628	324	5,865	4,161	194	4,355	1,822	2,339	958	7,537	2,238	6,960	22	6,982	5,523	3,696	5,922	3,714	3,847	...	89,470
1884 ...	10,621	5,758	1,999	18,378	5,156	6,590	7,540	2,762	3,704	2,945	461	7,110	4,335	144	4,479	2,017	2,034	936	7,575	2,730	7,982	42	8,024	5,639	4,051	7,454	4,353	4,365	...	1,01,193

Grades and number of Courts at the close of 1884.	Nagpur. District.	City Small Cause Court.	Cantonment Small Cause Court, Kamptee.	Total.	Chanda.	Bhandara.	Wardha.	Balaghat.	Jubbulpore.	Saugor.	Seoni.	Damoh.	Mandla.	Hoshangabad.	Betul.	Nimar.	Narsinghpur.	Chindwara.	Raipur.	Bilaspur.	Sambalpur.	Upper Godavari.	Total.
Court of the Judicial Commissioner.	1	...	...	...	...				...	...	...	...	...	...	...	...	...	...	...	...	...	...	1
Courts of the Commissioner.	1	...	...	...	...				1	...	...	...	...	1	...	...	...	...	1	...	...	...	4
Courts of the Deputy Commissioner.	1	1	1	1	1				1	1	1	1	1	1	1	1	1	1	1	1	1	...	18
Courts of the Assistant Commissioner.	3	2	2	3	1				2	3	1	1	1	3	1	3	2	1	3	2	3	..	37
Courts of Tahsildar.	5	4	2	3	2				3	4	2	2	2	4	2	2	3	2	4	3	2	...	51
Courts of the Naib Tahsildar.	4	3	3	3	1				2	3	2	1	..	5	2	3	1	2	4	1	2	...	42
Small Cause Courts and Registrar's Courts	4	...	...	...	...				2	1	..	...	...	...	...	1	...	...	...	...	...	...	8
Total ...	19	10	8	10	5				11	12	6	5	4	14	6	10	7	6	13	7	8	...	161

TABLE B.

Showing the number of suits instituted and re-instituted in each Head-quarters Station and in each Tahsil of the Central Provinces from 1880 to 1884.

Locality of Courts.		Number of suits instituted and re-instituted.				
		1880.	1881.	1882.	1883.	1884.
Nagpur ...	Nagpur ...	2,237	2,049	2,246	2,313	3,005
	Court of Small Causes, Nagpur ...	8,402	7,668	6,758	5,622	5,758
	Total ...	10,639	9,717	9,004	7,935	8,763
	Kamptee ...	2,511	1,990	1,931	1,943	1,999
	Katol ...	1,882	1,661	1,487	1,162	1,742
	Ramtek ...	2,150	2,269	2,026	1,889	1,943
	Saoner ...	2,753	2,025	1,794	2,087	1,810
	Umrer ..	1,878	1,877	2,178	1,770	2,121
Chanda ...	Chanda ...	866	545	951	745	578
	Warora ...	1,292	1,460	1,833	1,471	2,141
	Mul ...	681	1,122	689	854	1,253
	Brahmapuri ..	867	754	1,106	768	1,073
	Sironcha Sub-division ...	125	121	110	62	111
Bhandara ...	Bhandara ...	2,758	2,270	2,439	2,263	2,146
	Tirora ...	1,178	1,730	2,353	2,098	3,269
	Sakoli ...	605	817	1,237	738	1,175
Wardha ...	Wardha ...	3,188	3,309	3.679	3,212	3,539
	Arvi ...	1,712	1,876	2,581	1,776	1,991
	Hinganghat ...	1,691	1,664	2,057	1,830	2,010
Balaghat ...	Burha ...	1,318	1,638	1,824	1,822	2,500
	Behir ...	128	160	99	192	262
Jubbulpore ...	Jubbulpore ...	1,093	1,151	1,090	1,152	1,520
	Court of Small Causes, Jubbulpore ...	2,664	2,696	2,760	2,628	2,945
	Do. do. Cantonment ...	399	262	341	324	461
	Total ...	4,156	4,109	4,191	4,104	4,926
	Murwara ..	475	489	561	576	821
	Sihora ..	1,222	1,399	1,373	1,185	1,363

Locality of Courts.		Number of suits instituted and re-instituted.				
		1880.	1881.	1882.	1883.	1884.
Saugor ...	Saugor ...	1,313	1,239	1,458	1,884	2,091
	Court of Small Causes, Saugor ...	223	155	167	194	144
	Kurai ...	947	718	760	935	963
	Rehli ...	714	881	718	930	809
	Banda ...	267	272	275	412	472
Damoh ...	Damoh ...	1,255	1,550	1,548	1,842	1,545
	Hatta ...	496	390	346	497	489
Seoni ...	Seoni ...	1,580	1,548	1,151	1,250	1,509
	Laknadon ...	784	471	475	572	508
Mandla ...	Mandla ...	646	589	709	769	805
	Ramgarh ...	154	61	94	189	131
Hoshangabad ...	Hoshangabad ...	2,276	2,282	2,210	2,227	2,570
	Seoni ...	691	801	881	905	890
	Harda ...	2,682	2,503	3,118	2,655	2,609
	Sohagpur ...	1,304	1,425	1,175	1,667	1,485
	Pachmarhi Sub-division ...	129	202	65	183	21
Betul ...	Betul ...	1,976	1.647	1,909	1,432	1,800
	Multai ...	1,093	909	1,040	806	930
Narsinghpur ...	Narsinghpur ...	2,006	2,139	2,338	2,501	2,674
	Gadarwara ...	2,562	2,583	2,970	3,027	2,965
Nimar ...	Khandwa ...	5,038	5,419	4,853	4,922	5,317
	Burhanpur ...	2,698	2,060	2,017	2,038	2,665
	Court of Small Causes, Asirgarh ...	66	34	39	22	42
Chhindwara ...	Chhindwara ...	2,440	2,414	2,448	2,685	3,075
	Sausar ...	1,404	1,212	1,175	1,011	976
Raipur ...	Raipur ...	3,025	2,956	2,380	2,425	3,302
	Drug ...	1,460	1,622	1,406	1,193	1.071
	Dhamtari ...	716	568	1,243	1,107	1,514
	Simga ...	1,131	1,280	989	1,197	1,567
Sambalpur ...	Sambalpur ...	1,722	1,724	2,011	2,226	2,360
	Bargarh ...	1,171	1,222	1,397	1,621	2,005
Blaspur ...	Bilaspur ...	1,214	1,555	1,385	1,486	1,797
	Mungeli ...	1,788	1,571	1,345	1,463	1,694
	Seorinarain ...	550	879	1,050	765	862
	Total ...	91,379	89,903	92,648	89,470	101,193

6. The characteristic feature of the year has been an almost uniform increase in litigation. This increase is common to every Division and to almost every District, Damoh, Mandla and Hoshangabad forming the only exceptions to the general rule. It may, however, be said at once that a considerable portion of this increase is nominal rather than real. The effect of the introduction of the Central Provinces' Tenancy Act has been to oust the jurisdiction of the Revenue Courts, *quoad* the trial of *suits* between landlord and tenant, and to render such cases cognizable exclusively by the Civil Courts. Suits by landlords for arrears of rent have numbered 5,749 during the year, and it may be safely affirmed that a considerable portion of the remaining 1,534 disputes between landlord and tenant would under pre-existing circumstances have been litigated in the Revenue Courts, so that more than a moiety of the apparent increase in institutions is merely nominal.

As regards the Nagpur Division, there has been not only an apparent, but a real increase of litigation in every District. If the suits under the Rent Act be included in the figures of 1882 and 1883 the litigation of the past three years has been as under :—

	1882.	1883.	1884.
Nagpur	19,079	17,377	18,378
Wardha	8,833	7,258	7,540
Bhandara	6,452	5,407	6,590
Chanda	4,908	4,081	5,156
Balaghat	2,121	2,178	2,762
Total ...	41,393	36,301	40,426

In all Districts therefore except Balaghat there has been a re-bound from the marked decrease which took place in 1883, which re-bound has in the cases of Bhandara and Chanda gone beyond the figures of 1882, whereas in Nagpur and Wardha (especially in the latter District) it has stopped short.

In Balaghat, on the other hand, where alone there was no falling off in 1883, the institutions show a marked increase and are now higher than in any previous year. The slight increase in the Nagpur District is common to all Courts except that of the Judicial Tahsildar of Saoner. The Deputy Commissioner writes that the failure of the kharif (especially jowari) during two consecutive seasons has affected the condition of the poor, who depend on it for food, and is the cause of the increase of petty litigation, and especially in *parole* debts. It is not clear, as pointed out by the Commissioner, in what manner the failure of the recent kharif crop (which was only reaped in December) could affect the returns of 1884 to any appreciable extent. The Deputy Commissioner of Wardha, after noticing that the slight increase of litigation over the figures of 1883 is divided pretty fairly amongst all classes of suits, writes as follows :—" The people of this District have for at least two years been unfor- " tunate in their harvests, and although there is no evidence of serious distress " there is a want of ready money, which makes many feel much pinched and has " reduced some few to beggary." If the Deputy Commissioner intends to convey his opinion that the slight increase which is observable in the institutions of 1884 is due to any failure of harvest, the Officiating Judicial Commissioner feels constrained to dissent from any such conclusion. The amount of litigation in the Wardha District stands pretty much the same as it did ten years ago, and the figures for the year under report fall very short of those for 1882.

The Deputy Commissioner of Bhandara attributes the increase of his District "to the multiplication of Courts of small jurisdiction and the idiosyn-"cracies of the officers presiding over them." He notes that the opening of the Naib Tahsildar's Court at Sakoli has resulted in an increase of 350 suits, and goes on to state, "many of these cases have been examined, and I think I "may safely say that most of them, if not all, would have been amicably settled "out of Court had unusual facilities for filing them not been granted." The Deputy Commissioner is silent as to the particular facilities to which he alludes, and it is not easy to conjecture their nature. The multiplication of tribunals does no doubt to some extent tend to induce a more ready recourse to the Court, but the fact remains that the institutions of 1884 were scarcely in excess of those for 1882, and that the opening up of the Bhandara District by the construction of the Nagpur and Chhattisgarh State Railway has stimulated trade, with the usual result of increasing the work of the Courts. The Deputy Commissioner of Chanda reports that the increased institutions of his District are mainly due to the great number of marriages and thread ceremonies which took place in anticipation of the Singast year (which commenced in the month of July last) giving rise to unually large purchases of cloths and such like articles. The fact that the number of suits for price of goods sold rose from 232 to 383 gives some colour to the explanation, though doubtless many other causes were at work In Balaghat there is an increase for the sixth year in succession, which seems rightly ascribed by the Deputy Commissioner to the gradual development of the District and to a consequent familiarity on the part of the people with the facilities afforded by our Courts. After reviewing the figures of each District of his Division, Mr. Venning writes :—"The broad fact is that during 1884, "the ever-rising tide of litigation, which received a temporary check in 1883, "resumed its natural tendency to increase. The thing to be explained is not "so much the increase of 1884, as the decrease of 1883. The latter, not the "former, is the abnormal phenomenon."

In the Jubbulpore Division there was an increase in the number of suits filed in Jubbulpore, Saugor and Seoni; and a decrease in Damoh and Mandla. The Deputy Commissioner of Jubbulpore has added to the figures of 1883 the number of suits instituted under the Rent law, and shows that the increase apparent in the year under report is confined almost exclusively to the Courts of Small Causes. No reason for the increased institutions in the City Small Cause Court is hazarded either by the Deputy Commissioner or by the presiding Judge; such increase is confined apparently to suits on contract, and for the price of goods sold, but the Officiating Judicial Commissioner hesitates to place too much reliance on the table of classifications, seeing that interpleader suits are explained to be "suits brought by parties who have failed to make good their claims to attached property." The Judge of the Cantonment Small Cause Court ascribes the increase in suits "partly to the "departure of both the regiments, the followers of which were brought to "Court to expedite recovery of their debts, and partly to the institution "of numerous suits by the lessee of grazing dues." The whole increase of the Jubbulpore District, following as it does upon the decrease which was apparent in 1883, may be ascribed to ordinary fluctuations, for which no further explanation is needed. The slight increases shown against the Saugor and Seoni Districts are due entirely to the new classification. In Damoh there has been a considerable falling off in litigation, which is ascribed by the Deputy Commissioner "to the prevailing low price of food grains, the result

"of the good harvest reaped during the past two years." This stereotyped explanation, as remarked by the Commissioner, can scarcely be deemed satisfactory. The great increase of institutions which was apparent in the returns of the Damoh District for 1883, as compared with those for 1882, was attributed by the then Deputy Commissioner "to the year having been one of prosperity." The Officiating Judicial Commissioner does not say that either of the above guesses is wrong, but he would have liked to have seen the conclusions deduced in a more logical and convincing manner. If suits between debtor and creditor were instituted in the same year in which the obligations giving rise to such suits have been incurred, then the action of the seasons on litigation would be a matter of easy calculation. But such is notoriously not the case. A bad year tends to increase indebtedness, and is unfavorable for realization: in a good year, on the contrary, fewer obligations are incurred, whilst the opportunity for collecting old debts is eagerly grasped. Thus under normal circumstances there should be a decrease of litigation in bad years, though a succession of such years might force creditors into the Courts either to save their claims from being barred by time or to realize what best they could by selling up their debtors altogether. In the same way a good year following on a bad year should naturally show increased institutions; but a succession of favourable years would result in a falling off, according as old debts became liquidated. There are no data whereby to test the soundness of the explanations offered by Colonel Repton and Colonel Hogg, but it is quite possible that the majority of outstanding debts were realized during the favorable season of 1883, leaving but a small proportion for the year under report.

In the Nerbudda Division (after deducting for facility of comparison all suits instituted under the Tenancy Act), Hoshangabad and Narsinghpur showed decreased institutions of 513 and 635 respectively, as compared with the figures of 1883. The institutions in the Nimar District have risen by 775, and there is also a small increase in Chhindwara and Betul. The District reports of Hoshangabad and Narsinghpur do not unfortunately throw much light upon the figures of the year. Both the Deputy Commissioners ascribe the decrease to the general prosperity induced by successive good harvests, whereby debtors have been the better enabled to meet their engagements. These explanations may be the correct ones, but the institutions for 1883 were in both Districts higher than those of 1882. The Deputy Commissioner of Nimar points to the fact that institutions are not now more numerous than they were 18 years ago, and states his opinion that "the fluctuations now apparent seem the ordinary "ebb and flow of the tide of litigation and not ascribable to any special cause."

In the Chhattisgarh Division there has been a real but very slight increase of institutions in Bilaspur and Sambalpur which needs no explanation. In the Raipur District the increase is something more than nominal, and is shown by the Deputy Commissioner, in the course of a careful analysis, to be due in a great measure to the spread of commercial activity. The figures of the year may be summed up very briefly. In the great majority of Districts there has been an increase of institutions, such increase being partly real and partly due to the introduction of the Tenancy Act. That portion which is real represents the increment of increase, which, with the development of internal resources, may under normal circumstances be annually looked for but which received a temporary check in 1883.

II.—Value of suits.

7. The relative value of suits instituted in 1884 is shown in the following table:—

TABLE C.

Relative value of suits instituted.

Grades of value.			Number of suits instituted.	Percentage of total suits.	Average Value.
Not-exceeding Rupees	...	10	27,983	28·	6
" "	...	50	49,503	49·	25
" "	...	100	12,488	12·	70
" "	...	500	9,722	10·	184
" "	...	1,000	833		712
" "	...	5,000	595	1·	2,269
" "	...	10,000	47		5,895
Execeeding Rupees	...	10,000	22		1,15,706
		Total ..	1,01,193	100·	.....

The character of the year's litigation has been practically identical with that of the preceding year. There is an increase of one per cent in suits of the minimum value, and a corresponding decrease in the suits of the higher grades.

8. The following table presents the same figures in detail according to Districts:—

TABLE D.

Showing the percentages of Table C. in detail according to Districts.

Districts.			Not exceeding Rs. 10.	Not exceeding Rs. 50.	Not exceeding Rs. 100.	Not exceeding Rs. 500.	Exceeding Rs. 500.
Nagpur	...	...	31.	47·	12·	9·	1·
Chanda	...	...	25·	55·	12·	7·	1·
Bhandara	...	...	26·	55·	11·	7·	1·
Wardha	...	...	21·	51·	15	12·	1·
Balaghat	...	...	33·	48·	10	8·	1·
Jubbulpore	...	..	26·	48·	13	11·	2·
Saugor	...	...	24·	52·	12	11·	1·
Damoh	...	...	26·	51·	13	8·	1·
Seoni	...	...	26·	48·	13	11·	2·
Mandla	...	...	41·	44·	7	7·	1·
Hoshangabad	...	...	18·	45·	17·	17·	3·
Betul	...	...	23·	49·	15·	11·	2·
Narsinghpur	...	...	17·	50·	16·	14	3·
Chhindwara	...	...	25·	51·	14·	9·	1·
Nimar	...	...	25.	53·	13·	8·	1·
Raipur	...	...	36·	45·	9·	8·	1·
Sumbalpur	...	...	45·	41·	7·	6·	1·
Bilaspur	...	...	39·	47·	7·	5·	1·

TABLE H.

Relative value of the principal description of suits.

Description of suits.	Number.	Percentage of					
		Suits not exceeding.				Suits above.	Total.
		Rupees 10.	Rupees 50.	Rupees 100.	Rupees 500.	Rupees 500.	
Contract in writing ...	45,216	11·9	58·5	16·8	11·6	1·2	100·
Contract not in writing ..	17,729	46·2	43·1	5·5	4·3	0·9	100·
Goods sold ...	8,958	63·1	31·5	3·3	1·9	0·2	100·
Moveable property or value thereof ...	4,719	38·6	46·2	8 3	6·1	0 8	100·
Damages ...	2,992	28·4	46·1	13 6	10·9	1·0	100·
Arrears of rent ...	5,749	31·9	51·5	10·7	5·7	0 2	100·
Immoveable property ...	4,417	21·5	36·2	14·9	20·6	6·8	100·

The inclusion in the Civil returns of suits between landlord and tenant would render any conclusions based on the percentages given in the above tables absolutely misleading. As might naturally be expected, the bulk of the real increase in litigation of the year, occurs in suits for money or moveable property. The number of suits based on written contracts, is almost identical with that of the preceding year; but suits on oral contracts, for the price of goods sold, and for moveable property or the value thereof, show a marked increase as compared with the figures of 1883. As regards the fluctuations apparent in Table G., (as compared with similar details for the preceding year), scarcely any explanations have been attempted by District officers, who have, as a rule, altogether overlooked the fact, that the percentages of the two years are calculated on totals obtained under widely different circumstances.

In the Nagpur Division, the Nagpur District alone shows a falling off in suits brought on written contracts. Suits on contracts, not in writing, have almost doubled in the Bhandara District, whilst the Nagpur and Chanda Districts also show a marked increase. In suits for the price of goods sold, the greatest increase is in the Nagpur District; but the figures are everywhere higher than in the preceding year. The great increase in suits for moveable property or the value thereof, which is apparent in the returns of the Wardha District ought perhaps to have been susceptible of some explanation. The figures for the Jubbulpore Division call for little comment. Suits on contracts in writing show a marked falling off in the Damoh District, a fact which favors the suggestion already made, that debts of long standing were largely realized during the prosperous season of 1883. The increase in suits on oral contracts, and for the price of goods sold, is specially observable in the Jubbulpore District; but following on the decrease of the preceding year, the figures do not need special explanation. In the Nerbudda Division, suits on contracts in writing increased markedly in the Nimar District. The Commissioner writes, that "this continued increase, considering the very poor character of litigation, "does not argue well for the prosperity or honesty of the general population." The decrease under the same heading in the Narsinghpur District is ascribed by the Deputy Commissioner to the fact that the good harvests of the last two

years, together with the low price of food, owing to a check on the export trade, have led to a general liquidation of old debts. The returns of the Chhattisgarh Division may be briefly passed over. In the Raipur District suits on contracts, both written and oral, show a considerable falling off. Colonel Scott remarks that "the opening of the railway has enabled agriculturists to dispose "of their produce at very good rates, and they have thus been able to place "themselves in funds wherewith to meet the demands of their creditors." The Deputy Commissioners of both the Raipur and Bilaspur Districts show that the practice of the subordinate Courts as regards the classification of certain classes of suits is not uniform: the matter cannot well be discussed in an annual report, and should form the subject of a special reference. Comments on suits between landlord and tenant would at this date be premature. The Rent-law of past years included many kinds of suits which, by the introduction of the Central Provinces' Tenancy Act, have now been summarily put a stop to, or which form the subject-matter of Revenue applications, and excluded many cases which were within the cognizance of the Civil Courts. It seems therefore better to refrain altogether from contrasting the returns under the old Rent-law with the suits now shown as between landlord and tenant.

C.—General Distribution and Results of Trial of Civil Suits by Courts of Original Jurisdiction.

I.—Distribution.

10. The following table shows how suits disposed of were distributed among the different classes of Courts in the several Districts.

TABLE J.

Distribution of suits disposed of among different classes of Courts.

Total number of Judges.		8	42	51	37	18	156
District.		Small Cause Courts.	Naib Tahsildars.	Tahsildars.	Asst. Commissioners.	Deputy Commissioners.	Total.
Nagpur ...	..	7,610	5,387	3,698	1,354	10	18,059
Chanda ...	..	...	2,948	1,525	538	8	5,019
Bhandara ...	..	...	4,422	1,350	705	11	6,488
Wardha ...	..	...	4,419	2,368	591	9	7,387
Balaghat ...	..	...	1 678	650	329	3	2,660
Jubbulpore ...	...	3,305	1,443	1,468	654	8	6,878
Saugor ...	..	146	2,339	1,266	691	5	4,447
Damoh ...	..	...	1,002	776	300	11	2,089
Seoni ...	..	...	761	862	318	27	1,968
Mandla ...	...	..	...	733	163	4	900
Hoshangabad	..	...	3,943	2,562	917	1	7,423
Betul ...	..	...	1,679	791	286	15	2,771
Narsinghpur...	..	...	1,153	3,784	751	11	5,699
Chhindwara ...	...	...	2,442	930	522	21	3,915
Nimar ...	...	42	5,611	1,440	796	6	7,895
Raipur ...	...	...	4,310	1 872	1,007	13	7,202
Sambalpur ...	...	...	3,068	803	581	21	4,473
Bilaspur ...	...	...	1,154	2,285	692	28	4,159
Total ... 1884	...	11,103	47,759	29,163	11,195	212	99,432
Total ... 1883	...	10,734	42,027	24,882	10,354	222	88,219
Percentage ... 1884	...	11 2	48·0	29·3	11·3	·2	100
Percentage ... 1883	...	12 2	47·6	28 2	11·7	·3	100
Percentage ... 1882	..	13·2	44·7	30·2	11 7	·2	100
Percentage ... 1881	...	14·1	45·4	28·0	12·3	·2	100
Percentage ... 1880	...	15·9	40 3	30 3	13·3	·2	100·

Ever since 1878 the percentage of work done by the Small Cause Courts has, year by year, steadily diminished, whilst Naib Tahsildars have disposed of an increasing proportion of the litigation of these Provinces. The year under review has proved no exception to the rule.

The increased work has fallen mainly on the Naib Tahsildars; the nominal increase shown against Tahsildars represents suits which they formerly disposed of on the revenue side. In the view of impending changes, which may necessitate an entire redistribution of work, any lengthy comment on the figures in the above table seems superfluous. The Deputy Commissioner of Sambalpur suggests that Naib Tahsildars should be empowered to try suits between landlord and tenant for arrears of rent; but the suggestion is not favourably accepted by the Commissioner of the Division. The percentage of work done by Assistant Commissioners has slightly decreased; but the aggregate number of suits tried is greater than in the preceding year. There seems reason to suppose that the provisions of Civil Practice Circular D. (1) have been imperfectly understood and that the time of Assistant Commissioners has some times been occupied with the trial of petty cases relating to immoveable property which might, to the advantage of all parties, have been entrusted to Tahsildars.

TABLE K.

Institution of suits in the various Courts according to value.

Judges.		Registrars of Courts of Small Causes.	Judges of Courts of Small Causes.	Naib Tahsildars.	Tahsildars.	Assistant and Extra Assistant Commissioners.	Deputy Commissioners.	Total.
Number of Judges.		2	6	42	51	37	18	156
Grades of value of suits.	Total number of suits instituted.	Percentage of suits instituted in the Courts of each class of Judge.						
Not exceeding Rs. 10	27,983	13·8	61·7	18·9	5 6	...		100·
" " 50	49,503	10 8	63 7	19 9	5·6	...		100·
" " 100	12,488	9 5	...	74·0	16 3	·2		100·
" " 500	9,722	9·4	...	49·3	41·2	·1		100·
" " 1,000	833	4·9	...	...	94·5	·6		100·
" " 5,000	595	...	...	...	80·8	19 2		100·
" " 10,000	47	...	...	...	38·3	61·7		100·
Exceeding " 10,000	22	...	...	...	36·4	63·6		100·
All grades ...	1,01,193	11·2	48·3	28·8	11·5	·2		100·

II.—Result of trials.

11. The general results of the trials of suits disposed of are shown below;

TABLE L.

Results of trials of suits disposed of.

Results.	Number of suits.	Proportion per-cent in 1884.	Corresponding proportion 1883.
Plaints rejected or returned	695	·7	·6
Transferred to other District or Small Cause Court jurisdiction.	...	...	...
(a)—Disposed of without contest.			
Dismissed for default	18,935	19·1	18 9
Withdrawn with leave	1,000	1·0	1·2
Compromised	11,476	11·5	12·2
Decreed on confession	21,399	21·5	22·6
Decreed *ex-parte*	16,217	16·3	16·4
Dismissed *ex-parte*	979	1·0	·9
Total Uncontested ...	70,006	70·4	72·2
(b)—Contested and Judgment given for			
Plaintiff in whole	11 922	12·0	11·5
Ditto in part	9,063	9·1	8·4
Defendant in whole	7,746	7·8	7·3
Total Contested ...	28,731	28·9	27·2

The percentage of contested cases, as compared with the year preceding, has slightly risen, the figures being respectively 28·9 and 27·2. This result was only to be expected. As laws become more complex, Pleaders more numerous and parties more alive to their own interests, the percentage of contested to uncontested cases should show a gradual but progressive increase. It is true that the increased litigation of the year under report has been practically confined to suits of low value; but on the other hand suits in which a confession of judgment is the exception rather than the rule have now been included for the first time in the Civil Returns.

Dismissals for default.

12. The Provincial percentage of cases dismissed for default, is practically the same as in 1883. The Nimar District heads the list whilst Bilaspur, Raipur, Hoshangabad and Bhandara all show figures far in excess of the Provincial average. Out of 5,611 cases disposed of by the three Naib Tahsildars in the Nimar District, no less than 1,706 or more than 30 per cent were dismissed for default, and the procedure is reported to have been found to be faulty during the first half of the year. In the Raipur District, the figures, though still high, show a slight improvement on those of the preceding year. Colonel Scott writes :—"The high proportion in the Courts "of Assistant Commissioners is probably due to frequent delays, owing to the "numerous changes of officers which have already been noticed. People having "to come several times, thought better of it and compromised. I have examined "some cases of all Courts, and found the procedure correct, except in a very few "cases which do not deserve notice". The suggestion of the Deputy Commissioner, that suitors in the Courts of Assistant Commissioners were driven to

compromise their claims, is scarcely corroborated by the fact, that no less than 101 applications were filed for reinstitution of the suits dismissed. The Deputy Commissioner of Bilaspur notes that "in some cases in the Courts of the Tah-"sildars of Bilaspur and Seorinarain, cases were dismissed in default, on days to "which such cases had been postponed for hearing, where there was nothing "on the record to show that due notice of the postponements had been given to "the parties". In Hoshangabad and Bhandara the procedure is said to have been examined and found correct. It is satisfactory that greater attention is being given to the subject, and that the procedure of subordinate Courts comes under more careful and regular scrutiny. To dismiss a claim because a plaintiff is absent on some date, or from some place, regarding which no information has been given, is altogether illegal and improper. It is believed, however, that in the great majority of Courts, the correct procedure is observed. The percentage of dismissals for default is not excessive, and may possibly increase when the fact becomes more generally realized that a plaintiff's power to impose terms on his debtor is less fettered prior to than subsequent to the obtaining of a decree against him.

Cases compromised.

13. The percentage of cases compromised varies from 3·3 in Balaghat to 20·9 in Bilaspur, the Provincial percentage being slightly less than in 1883. The Deputy Commissioner of Raipur notes that "some Judges are still very careless, and do not record the compro-"mise". It is believed, however, that as a rule, the provisions of Section 375 of the Code of Civil Procedure are understood and followed.

Decrees on confession.

14. The decrease in the percentage of cases decreed on confession, corresponds approximately with the increase in the percentage of contested cases, and may be ascribed to the same causes. Very few of the District reports touch on the subject, but it has been repeatedly noticed in previous years. It may be assumed that sufficient care is ordinarily taken to ensure that the defendant is actually present, but it may be feared that the examination of the defendant is often far too summary. It is not sufficient to record a brief acknowledgment of indebtedness as to the amount claimed; it is all important that the plea be reduced to writing in such detail as to justify the conclusion that the contents of the plaint are clearly understood and admitted to be correct.

Durations.

15. Whilst the average number of hearings in suits disposed of is almost identical with the figures of the preceding year, durations have been somewhat longer, each contested case occupying on the average 43·3, and each uncontested case 28·7 days. The highest durations in contested cases appear in the Bilaspur and Nimar returns, whilst the figures for the Bhandara, Wardha, Hoshangabad, Raipur and Sambalpur Districts are all far in excess of the Provincial average.

The Commissioner of the Nerbudda Division writes as follows:—"From the "explanations offered by the Deputy Commissioners of the Nimar and Hosh-"angabad Districts, it would seem that the longer durations have not been "caused or necessitated by any special attempt on the part of Judges to be

" thorough and careful in the disposal of cases. On the contrary, it would seem " that they were due to carelessness and faulty procedure of some of the Judges " of the subordinate Courts. Overworked as our Courts are, long durations can- " not well be objected to, unless they are caused by irregular and careless " procedure, but I am not satisfied, that the procedure in many cases of long " standing has been regular. For instance in the Hoshangabad District I know " that many cases were adjourned by one Extra Assistant Commissioner, who " had more work assigned to him than he could possibly get through, from one " day to another, without any reasonable expectation of their being taken up " on the adjourned dates. In one case which came more particularly under my " notice, the same Judge had wrongly added several co-defendants, and neg- " lected to examine several witnesses, notwithstanding that they waited a week, " and had come at considerable inconvenience during the rains from Bhopal, so " that there were further postponements, and for all I know to the contrary that " case may still be undecided." To account for the durations in Bilaspur it is explained that changes of officers have been very frequent, and that two of the Tahsildars have been constantly on the sick list: the latter reason accounts in a measure for the high durations in the Bhandara District, where the Tahsildar of Sakoli was incapacitated from work during a fatal illness which lasted several weeks. The Officiating Judicial Commissioner fears that the case mentioned by Colonel Ricketts is by no means a solitary instance of dilatory and irregular procedure. The explanations of delay which accompany the monthly statements, and a scrutiny of records which have from time to time come under inspection, show that even in the elementary matter of fixing dates for hearing the procedure of some Courts is any thing but regular. Dates are fixed without reference to the calendar, and not infrequently cases are set down for hearing on Sundays and civil holidays. Postponements, too, are frequently granted to admit of the examination of the serving officer under Section 82 of the Code of Civil Procedure; whereas, had his examination been recorded as an *ad interim* proceeding immediately on his return from serving the process, no such postponement would have been necessary. Perhaps the most fruitful cause of numerous adjournments and long durations is to be found in a neglect by the Courts of the provisions of Section 146, Code of Civil Procedure. It is too often assumed that the plaint comprehends exhaustively every detail of the claim, and issues are struck after a perfunctory examination of the defendant only, the result being that such issues do not cover the material propositions of fact or law on which the parties are at variance. If Judges would only realize that time spent in properly examining the parties means time ultimately saved, and that an intelligent and comprehensive settlement of issues is half the battle in the decision of an intricate case, there would be far fewer adjournments arising out of amendments of plaints, framing of additional issues and joinder of parties. Then again as regards the reception of documentary evidence, the procedure of very many of the Courts is not what is prescribed by law The time at which such evidence should be produced, and the manner in which documents are to be proved or admitted are clearly laid down in the Civil Procedure Code and in the Evidence Act. In spite, however, of the provisions therein contained, unauthorized adjournments are too often allowed at every stage of a suit, with the ultimate result (as pointed out recently by the Registrar Privy Council) that the records are frequently encumbered with documents which have been neither proved, nor admitted nor rejected. In the matter of oral evi-

dence, too, the procedure is at present too often faulty: where, owing to press of work, a Judge is unable to proceed with a case on the day fixed for hearing, a postponement of several days is often ordered, the witnesses depart to their homes and on the adjourned date of hearing are frequently not forthcoming. Orders of the above kind tend to prolong durations, inconvenience suitors, increase costs of litigation, and sometimes to defeat the ends of justice. Witnesses, who have once attended Court should not under ordinary circumstances be allowed to depart until their examination has been recorded. If a case cannot be heard on the day originally fixed, it should be taken up on the next open Court day, and so long as any witnesses are in attendance, the hearing should be daily resumed. The Officiating Judicial Commissioner believes that if District Judges will, in the light of the above remarks, subject their monthly statement of Civil business to careful scrutiny, there will be a gradual disappearance of many of the long pending cases which seem to hang on from month to month without any advancement towards a decision.

16. The number of commissions issued for local investigation is almost the same as in the year preceding. In the majority of cases the procedure adopted appears to have been justifiable; but some few Courts, especially those of Tahsildars and Naib Tahsildars still not infrequently delegate to commissioners the virtual decision of matters which should be determined by the direct production of evidence. In the small District of Seoni the number of commissions issued rose from 7 to 36, and the explanation afforded by the Deputy Commissioner that such commissions "appear to have been issued mostly in cases connected with land" is not a clear one. On this explanation the Commissioner of the Jubbulpore Division remarks, "I should be very much surprised to find that the "commissions proved useful. I know that not a few of the commissions "issued in the Jubbulpore District proved abortive. In some of these cases it "must be admitted that the fault lay with the Court in not furnishing the per-"son appointed commissioner with precise instructions."

17. References to arbitration have slightly increased in number, viz. from 152 to 157. Except in the Nagpur and Saugor Districts, such references seem falling into disuse. The Deputy Commissioner of Nagpur states that no particular Court seems to have favoured the employment of arbitrators; in Saugor the procedure in question was largely resorted to by Mr. Hosein Ali, Extra Assistant Commissioner. Colonel Plowden reports that in the majority of cases the reference to arbitration was in accordance with the wishes of the parties; it is not clear whether he intended to imply that undue pressure in this respect was occasionally brought to bear on litigants.

Costs decreed against winning plaintiffs.

18. As compared with 1883, the suits in which costs have been thrown upon successful plaintiffs have decreased from 1,507 to 1,014. The fluctuations in some Districts are very marked. In Bhandara such suits have fallen from 225 to 96, in Jubbulpore from 192 to 33, in Hoshangabad from 190 to 82, and in Nagpur from 257 to 157. It might have been expected that some sort of ratio would exist between the number of decrees on confession and the number of suits in which costs have been thrown upon successful plaintiffs; but such does not appear to be the case. With the single exception of Chanda, Nimar shows the highest percentage of cases decreed on confession; but in only 11 cases has the ordinary rule that costs follow the result been departed from. The Com-

missioner of Nagpur has compiled a table showing the extent to which each Tahsildar or Naib Tahsildar in his Division has availed himself of his discretionary power to disallow costs. The fact that the Tahsildar and Naib Tahsildar of Sakoli disallowed successful plaintiff's cost in a large number of cases affords a curious commentary on the opinion expressed by the Deputy Commissioner of Bhandara, that the increased institutions at Sakoli are due almost entirely to unusual facilities afforded by the Courts. On the other hand the Naib Tahsildar of Nagpur did not disallow costs in any single one of the 330 decrees on confession passed by him. The practice, no doubt, is not uniform; but it would be both difficult and unwise to lay down any rules for general guidance. It is not the business of the creditor to seek out his debtor, but *vice versâ*, and any practice of disallowing costs on failure of the plaintiff to prove a demand for payment prior to institution, would ultimately cause an increase in the costs of litigation, without in any way benefitting the defendant. The Officiating Judicial Commissioner takes the present opportunity of pointing out that many cases have come under his notice, during the year, in which the provisions of Section 68 of the Central Provinces Tenancy Act, respecting the power of the Court to allow or disallow the fees of legal practitioners, have been lost sight of.

D.—Miscellaneous Cases.

19. The increase in Miscellaneous cases follows naturally on the increase in the number of applications for execution of decrees, objections by intervenors rising in proportion. The majority of the District reports are silent on the subject, but there seems reason to believe that applications for restoration to the file of cases dismissed for default, have also been more numerous. No explanation has been offered regarding the Miscellaneous cases referred to arbitration.

E.—Appellate Business.

20. The number of first appeals instituted during the year is shown in the following table :—

TABLE M.

Appeals to Commissioners and Deputy Commissioners.

	Courts of Deputy Commissioners.		Courts of Commissioners.		Total.		Percentage of appeals to appealable cases.	
	1883.	1884.	1883.	1884.	1883.	1884	1883.	1884.
From decrees of ordinary Civil Courts ...	3,621	4,360	539	689	4,160	5,049	18·2	18·7
From orders ...	175	212	63	76	28[illegible]	28[illegible]		
Total ...	3,796	4,572	602	765	4,398	5,337		

For reasons already stated no comparison of the figures of 1884 with those of past years is feasible. The effect of the abolition of the Court of Additional Commissioner has been, no doubt, to throw a great increase of work upon the Divisional Commissioners, but, in view of impending changes, no discussion of the subject is here needed.

21. The result of appeals (first and second) is shown in the following table :—

TABLE N.

Disposal of Appeals.

Courts.	Confirmed without notice to respondent.		Dismissed for default		Remanded for re-trial.		Decree of Lower Courts.						Total disposed of.
							Modified.		Reversed.		Confirmed.		
	Number.	Percentage of total appeals.	Number.	Percentage of total appeals.	Number.	Percentage of total appeals.	Number.	Percentage of total appeals.	Number.	Percentage of total appeals.	Number.	Percentage of total appeals.	
1	2	3	4	5	6	7	8	9	10	11	12	13	14
Court of the Judicial Commissioner.	200	37·2	10	1·9	41	7·6	33	6·2	89	16·6	164	30·5	537
Courts of the Commissioner—													
Nagpur ...	...	...	1	1·0	2	2·0	13	12·0	31	30·0	57	55·0	104
Jubbulpore ...	6	6·0	3	3·0	8	8·0	5	5·0	27	27·0	51	51·0	100
Nerbuda ...	1	1·4	8	11·3	3	4·2	14	19·7	5	7·1	40	56·3	71
Chhattisgarh ..	...	...	4	4·4	9	10·0	10	11·1	10	11·1	57	63·3	90
Additional Commissioner, Nagpur, Jubbulpore and Nerbudda Divisions ..	2	·6	10	3·0	27	8·2	35	10·3	63	19·3	194	58·6	331
	9	1·3	26	3·7	49	7·0	77	11·1	136	19·5	399	57·3	696
Nagpur ..	3	·7	25	6·2	25	6·2	46	11·5	122	30·1	180	44·9	401
Chanda ...	5	5·3	7	7·4	15	16·0	24	25·5	16	17·0	27	28·7	94
Bhandara ...	50	21·1	10	4·2	15	6·3	32	13·5	44	18·6	86	36·3	237
Wardha ...	2	·6	17	5·0	24	7·1	52	15·4	72	21·3	171	50·6	338
Balaghat ...	..	...	6	5·4	8	7·1	20	17·9	21	18·7	57	50·9	112
Jubbulpore ...	4	1·6	16	6·3	8	3·1	16	6·3	63	24·8	147	57·9	254
Saugor ...	6	2·2	9	3·3	32	11·9	27	10·0	49	18·2	146	54·3	269
Damoh ...	76	55·5	18	13·1	8	5·8	9	6·6	22	16·1	4	2·9	137
Seoni ...	48	33·6	4	2·8	4	2·8	12	8·4	31	21·7	44	30·7	143
Mandla ...	6	37·5	2	12·5	...	...	...	...	...	...	8	50·0	16
Hoshangabad ...	5	1·3	34	8·5	69	17·2	35	8·7	55	13·7	203	50·6	401
Betul ...	113	50·0	12	5·3	17	7·5	23	10·2	31	13·7	30	13·3	226
Narsinghpur ..	9	1·9	23	5·0	40	8·6	48	10·3	87	18·8	257	55·4	464
Chhindwara ...	62	32·5	4	2·1	5	2·6	13	6·8	34	17·8	73	38·2	191
Nimar ...	82	32·3	6	2·4	15	5·9	25	9·8	56	22·0	70	27·6	254
Raipur ..	26	6·6	25	6·3	37	9·3	45	11·1	62	15·7	201	50·7	396
Sambalpur ...	14	4·2	28	8·5	12	3·7	35	10·6	49	14·8	192	58·2	330
Bilaspur ...	2	1·3	13	8·6	5	3·3	18	11·9	17	11·3	96	63·6	151
Total ...	513	11·6	259	5·9	339	7·7	480	10·9	831	18·8	1,992	45·1	4,414
Grand Total ...	722	12·8	295	5·2	429	7·6	590	10·4	1,056	18·7	2,555	45·3	5,647

The percentage of appeals confirmed or dismissed for default by the Judicial Commissioner is 69·6 as compared with 77 in 1883. The falling off is probably due in some measure to the fact that a greater proportion of second appeals filed during the year under report lay from the Courts of Deputy Commissioner; but any accurate comparison of the figures of the two years is impossible, seeing that many suits involving issues of considerable difficulty now appear for the first time in the Civil returns. This remark applies equally to the Courts of Commissioners, in which the percentage of appeals confirmed or dismissed for default has fallen from 72 to 62·3.

Turning to the appeals decided by Deputy Commissioners, it is curious to note how the returns are influenced by the practice of individual Judges. From some Courts a notice to the respondent issues almost as a matter of course, whilst in other Courts the issue of such notice is the exception rather than the rule. Thus in the important Districts of Nagpur and Wardha, the percentages of appeals confirmed without notice to respondents were ·7 and ·6 respectively; whilst in Damoh, Betul and Mandla, the figures were 55·5, 50· and 37·5. Naturally where memoranda of appeal are drawn up by pleaders, there is a greater tendency to raise legal points and to advance arguments which seem *primâ facie* to carry weight; whilst in the smaller Districts the suits and the pleas in appeal are generally of a simple character. It does not appear that the discretionary powers conferred on Courts under Section 551 of the Court of Civil Procedure, has been, as a rule, abused; but in some few instances, the use of such procedure has led to hasty decisions which might have been avoided, had the pleas in appeal been more fully considered. The percentage of cases remanded by Deputy Commissioners for retrial has slightly increased, being highest in Hoshangabad, Chanda and Saugor. As regards all these Districts, there is reason to believe that the provisions of Civil Procedure Circular No. 12 have not been always observed. It is only when a suit has been dismissed on a preliminary point, so as to exclude evidence of fact, which appears to the Appellate Court essential to the determination of the rights of the parties, that a decree can be reversed, and a new trial ordered; where issues have been imperfectly framed, or questions of fact not fully determined, no such order is legally possible. In not a few cases orders of remand have been found to be improperly made, with the result that parties have been unnecessarily inconvenienced and the costs of litigation materially increased.

The percentage of appeals modified, reversed or remanded by Deputy Commissioners is 37, against 34 in 1883. In the Chanda District, the percentage has risen from 23 to 58·5; whilst in the Mandla District not a single appellant has been successful. The fluctuations are not noticed at any length in the District reports, but there can be no doubt that decrees are confirmed more readily by some Appellate Courts than by others.

The average duration of appeals in the Courts of Deputy Commissioners, is slightly in excess of last year's figure. The highest duration is in the Damoh District, the disposal of each appeal having averaged 46·6 days, as compared with 20·3 days in the preceding year. The Deputy Commissioner has not offered any explanation of the increase, which is all the more noticeable, seeing that the percentage of cases confirmed without notice to respondent has also materially risen.

F.—Execution of Decrees.

22. Applications for execution of decrees increased from 61,663 in 1883 to 70,435, such increase being common to every District of the Provinces. As in the case of original suits, so too in the matter of executions of decrees, the increase observable is only partially real, and needs no special explanation when it is borne in mind that the figures in 1883 showed a marked decrease as compared with those of 1882.

In the Nagpur Division, the percentage of wholly infructuous applications was excessively high in Nagpur and Wardha, being respectively 52·6 and 59·2. The Deputy Commissioner of Nagpur remarks that on an examination of execution proceedings he found that 3,476 applications out of 7,705 disposed of wholly infructuously were struck off either for non payment of process fees or at the request of the judgment creditor, and he draws the conclusion that such applications were made merely with a view to keeping the decrees alive. The Deputy Commissioner of Wardha made special enquiry in the matter and reports that the excessive proportion of infructuous applications is due to (1) execution being taken out merely to keep the decrees alive, (2) judgment debtors concealing or making away with their property, (3) imprisonment being rarely resorted to, (4) the bad harvests of the past two years, and (5) debtors absconding to Berar. But the percentages of infructuous applications in the Wardha District have for many years past been abnormally high, and the causes assigned by the Deputy Commissioner would apply with more or less force to all the Districts of the Provinces. It seems probable that both in Nagpur and Wardha executions are sometimes needlessly and vexatiously taken out; if such be the case, the judgment creditors should equitably be made to bear their own costs. In the Jubbulpore Division much better results are shown, the percentage of infructuous applications ranging from 27 5 in Seoni to 39·7 in Jubbulpore. The Deputy Commissioner of Raipur draws attention to certain irregularities of procedure on the part of the Courts, remarking that in the disposal of execution cases Judges too often perform their duties in a perfunctory manner and do not exercise a proper control over the proceedings of the Court Nazir. In proportion as judgment creditors realize the risk incurred in giving time or in accepting agreements for the satisfaction of judgment-debts, without obtaining the sanction of the Court which passed the decree, it seems probable that the number of applications shown as infructuous will tend to decrease.

G.—Work done by Officers.

23. The following Tables O. to S. are comparative statements, showing the work done year by year in the various Courts of the Provinces. For reasons already stated, no accurate comparison is practicable and no comment on present distribution called for.

TABLE O.

Work done by the Judicial Commissioner.

Special appeals.					Miscellaneous appeals.					Applications under Section, 622 C. C. P.				
1880.	1881.	1882.	1883.	1884.	1880.	1881.	1882.	1883.	1884.	1880.	1881.	1882.	1883.	1884.
431	389	461	475	501	33	19	21	36	36	45	58	82	142	161

TABLE P.

Work done by Commissioners.

Courts.	Regulars appeals.					Miscellaneous appeals.				
	1880.	1881.	1882.	1883.	1884.	1880.	1881.	1882.	1883.	1884.
Commissioner of Nagpur ...	107	103	111	79	100	11	14	5	4	4
Commissioner of Jubbulpore ...	...	...	182	23	87	...	...	29	...	13
Commissioner of Nerbudda ...	8	2	120	20	65	...	..	7	3	6
Commissioner of Chhattisgarh ...	64	19	30	33	74	6	3	6	5	16
Additional Commissioner, Nagpur, Nerbudda and Jubbulpore ...	484	431	165	384	310	74	52	29	48	21
Total ...	663	555	608	539	636	91	69	76	60	60

TABLE Q.

Work done by Deputy Commissioners.

Districts.	Original suits.					Miscellaneous suits.			Execution cases.			Insolvency cases.			Regular appeals.					Miscellaneous appeals				
	1880.	1881.	1882.	1883.	1884.	1882.	1883.	1884.	1882.	1883.	1884.	1882.	1883.	1884.	1880.	1881.	1882.	1883.	1884.	1880.	1881.	1882.	1883.	1884.
Nagpur	5	7	...	1	10	..	..	5	2	...	4	..	..	...	290	97	204	185	116	11	1	8	10	5
Chanda	7	12	18	7	8	9	8	14	23	13	12	3	10	5	65	76	84	93	86	3	7	5	2	8
Bhandara	13	23	22	11	11	37	19	5	18	21	24	6	11	11	112	88	162	167	224	5	3	9	18	13
Wardha	5	2	1	4	9	30	2	9	..	3	5	..	...	...	221	251	293	132	163	12	2	17	8	11
Balaghat	3	4	2	1	3	37	49	6	6	1	4	...	2	2	33	88	69	87	110	1	4	..	1	2
Jubbulpore	11	14	11	8	8	68	11	18	19	19	26	...	..	...	150	91	149	165	249	4	4	5	2	5
Saugor	7	8	5	5	5	47	...	2	8	9	6	..	...	...	155	177	142	165	245	10	5	5	11	24
Damoh	3	2	7	17	11	32	8	6	3	6	11	...	2	2	80	87	103	134	134	7	2	1	4	3
Seoni	18	22	28	36	27	7	5	9	12	14	19	1	...	1	76	96	90	83	143	..	2	...	2	..
Mandla	4	5	4	9	4	..	2	..	7	12	6	1	1	1	31	23	16	17	16	4	4	..	.	...
Hoshangabad	15	18	9	..	1	18	...	..	9	3	..	..	..	..	331	315	191	196	89	21	11	5	19	3
Betul	16	8	14	22	15	61	14	11	9	26	18	3	..	..	140	118	151	181	224	3	5	2	..	2
Narsinghpur	12	36	29	18	11	38	8	2	40	30	8	..	..	.	254	289	288	355	435	13	15	14	33	29
Chhindwara	9	5	35	15	21	30	1	21	17	21	13	5	4	5	138	159	176	171	180	2	5	15	7	11
Nimar	34	20	14	15	6	26	60	41	25	17	11	10	7	18	225	243	204	204	237	10	18	12	9	17
Raipur	6	2	3	8	13	...	40	2	3	9	9	1	1	..	328	253	342	327	310	18	19	15	8	19
Sambalpur	47	16	10	33	21	72	58	35	6	20	32	7	7	16	252	268	267	290	219	15	8	8	3	7
Bilaspur	4	6	2	12	28	23	15	2	...	6	12	5	1	3	135	144	130	109	149	4	3	2	4	2
Total ..	219	210	209	222	212	535	300	192	207	230	220	42	46	64	3,046	2,863	3,064	3,061	3,329	143	118	123	141	161

TABLE R.

Work done by Assistant and Extra-Assistant Commissioners.

Districts.	Original Suits.					Miscellaneous Suits.			Execution Cases.			Insolvency Cases.			Regular Appeals.			Miscellaneous Appeals.		
	1880.	1881.	1882.	1883.	1884.	1882.	1883.	1884.	1882.	1883.	1884.	1882.	1883.	1884.	1882.	1883.	1884.	1882.	1883.	1884.
Nagpur ..	1,328	1,272	1,297	1,165	1,354	232	281	239	1,925	1,850	1,667	46	25	49	196	198	269	11	5	11
Chanda ...	881	590	951	733	538	149	118	113	705	581	590	...	...	...	1	...	...	..	...	...
Bhandara ..	1,509	1,060	1,258	1,103	705	168	193	179	962	959	1,017	...	...	...	...	...	...	...	...	...
Wardha ..	423	578	555	578	591	208	206	176	544	611	473	26	19	9	...	232	152	...	16	12
Balaghat ..	390	158	232	317	329	36	17	55	192	242	259	...	...	...	...	...	...	...	...	...
Jubbulpore ..	500	438	455	525	654	57	52	49	329	352	394	24	23	26	...	...	...	...	...	...
Saugor ..	465	357	478	540	691	96	90	119	442	534	607	...	...	...	...	..	...	..	...	...
Damoh ..	313	247	285	276	300	13	9	18	171	201	182	...	...	...	...	...	...	...	...	...
Seoni ..	164	201	184	216	318	30	34	58	188	223	202	...	...	...	...	...	...	...	...	...
Mandla ...	198	172	157	215	163	10	9	2	117	111	117	...	...	...	...	...	...	...	...	...
Hoshangabad ...	955	1,173	938	909	917	138	152	76	1,057	1,060	942	12	22	20	151	156	299	7	4	10
Betul ...	213	131	327	334	286	53	64	76	182	192	199	...	...	...	...	...	...	...	...	...
Narsinghpur ..	569	465	549	692	751	43	55	79	569	576	591	...	..	4	...	...	...	...	...	..
Chhindwara ..	557	447	376	462	522	49	44	58	281	329	393	...	...	...	...	...	..	...	...	...
Nimar ..	1,303	1,315	869	700	796	165	129	118	1,443	1,063	812	...	...	...	...	...	...	...	...	...
Raipur ..	595	629	663	802	1,007	59	56	58	527	446	543	3	2	7	...	...	67	...	...	...
Sambalpur ..	1,267	968	557	428	581	32	33	106	335	221	281	...	...	...	...	...	104	...	...	...
Bilaspur ..	442	720	719	359	692	66	21	31	511	260	325	...	...	..	...	...	...	...	...	...
Total ..	12,071	10,921	10,850	10,354	11,195	1,604	1,563	1,610	10,480	10,211	9,594	111	91	115	348	586	891	18	25	33

TABLE S.

Work done by Tahsildars and Naib Tahsildars.

Districts.	Original suits.					Miscellaneous suits.			Execution cases.		
	1880.	1881.	1882.	1883	1884.	1882.	1883.	1884.	1882.	1883.	1884.
Nagpur ...	9,431	8,622	8,556	7,906	9,985	924	789	635	6,815	6,248	7,041
Chanda ...	2,789	3,311	3,739	3,171	4,473	208	263	358	1,852	2,141	2 420
Bhandara ...	2,984	3,564	4,715	3,795	5,772	378	323	542	2,123	2,085	2,677
Wardha ..	6,202	5,299	7,638	6,153	6,787	744	746	653	4,658	4,490	4,726
Balaghat ...	1,007	1,573	1,693	1,722	2,328	151	71	118	889	920	1,389
Jubbulpore —	2,323	2,560	2,539	2,349	2,911	45	52	74	1,029	1,048	1,465
Saugor ..	2,743	2,744	2,737	3,506	3,600	119	236	167	1,319	1,844	1,804
Damoh ...	1,787	1,712	1,625	2,025	1,778	115	147	105	476	585	679
Seoni ..	1,821	1,683	1,459	1,578	1,623	77	68	77	749	697	741
Mandla ...	447	454	646	743	733	6	18	13	139	137	209
Hoshangabad ..	6,104	5,951	6,423	6,659	6,505	359	391	419	3,393	3,962	4,177
Betul ...	2,767	2,426	2,606	1,842	2,470	192	136	243	1,361	1,167	1,448
Narsinghpur ...	3,988	4,041	4,795	4,691	4,937	172	185	165	2,925	3,113	3,993
Chhindwara ..	3,165	3,221	3,186	3,170	3,372	117	117	207	2,983	1,756	2 227
Nimar ..	6,301	6,115	5,926	6,008	7,051	222	306	439	3,793	3,169	4,499
Raipur ...	5,783	5,611	5,418	5,078	6,182	113	122	153	2,738	2,366	2,704
Sambalpur ..	1,561	2,043	2,862	3,163	3,871	71	116	198	977	1,008	1,461
Bilaspur ...	3,071	3,187	3,071	3,359	3,439	27	46	108	934	937	1,092
Total ...	64,274	65,117	69,634	66,909	76,922	4,040	4,123	4,794	37,753	37,666	44,807

24. The Central Provinces Tenancy Act has been, as already observed, in force for so short a time that it would be premature to discuss its probable effect on litigation. From the few cases which have come under inspection on second appeal, it is clear that the provisions of the Act are, as yet, imperfectly grasped by the people at large.

The Commissioner of the Jubbulpore Division, writes as follows :—" The only " classes of suits under the Tenancy Act which have yet been brought in any " number, are suits for arrears of rent, suits for recovery of possession, and " suits to eject tenant from *sir* land. I believe that for a long time to come those " will be the only classes of suits which will come before the Courts, if indeed " suits for arrears be not the only class, so soon as the provisions of the law are " fully understood." The Commissioner of the Nerbudda Division also briefly notices the working of the Act, but generally the District and Divisional reports are silent on the subject.

25. The office of Judicial Commissioner was held throughout the year by Mr. R. J. Crosthwaite.

26. During 1884 Mr. R. J. Crosthwaite inspected the Courts of the following Districts :—

Balaghat.	Bhandara.	Sambalpur.
Nagpur.	Raipur.	
Wardha.	Bilaspur.	

I have the honor to be,

Sir,

Your most obedient Servant,

S. ISMAY,

Registrar.

PRESCRIBED
STATEMENTS.

(Giving statistics of Civil and Revenue Suits and showing totals for each grade of Courts.)

JUDICIAL STATEMENT No. 1—(Civil and Criminal.)

STATEMENT showing the number of Judicial Divisions and the number of Officers exercising Appellate or Original jurisdiction in the Central Provinces on the last day of the year 1884 with the cost of Tribunals.

Name of Province.			Area.	Population.	Number of Divisions for Courts under Chief Court, but superior to Chief Courts of Districts.	Number of Districts.	Number of Sub-Districts.	Total number of officers exercising original or appellate jurisdiction. Judges of Chief Court of Provinces.	Judges of other Courts superior to Chief District Courts.	Judges of Chief Courts of Districts.	Judges of District Courts other than Chief Courts.	Judges of other subordinate Courts.	Total number of cases decided. Original. Regular.	Original. Miscellaneous.	Appeals. Regular.	Appeals. Miscellaneous.	Total receipts of the Courts.	Total charges of the Courts.
1			2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
Central Provinces.	Territory subject to the High Court...	Civil and Revenue.	84,445	98,38,791	4	18	50	1	4	18	37	101	99,432	6,956	5,357	290	8,25,963	11,73,279
		Criminal ...									41	160	23,073	1,145	1,868	68		
	Ditto not subject to the High Court...	Civil and Revenue	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
		Criminal ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
	*Total ...		84,445	98,38,791	4	18	50	1	4	18	41	205	1,22,505	8,101	7,225	358	8,25,963	11,73,279

NOTE.—Number of European and Native Judicial Officers exercising Appellate or Original jurisdiction.

The Civil grades are those described in Act XIV of 1865. On the Criminal side, District Officers are included with 1st Class Magistrates.

CIVIL.

Naib-Tahsildars. Euro.	Natives	*Judges of Small Cause Courts.* Europeans.	Natives.	*Registrars of Small Cause Courts.* Europeans.	Natives.	Courts of	*1st Grade.* Euro.	Natives	*2nd Grade.* Euro.	Natives.	*3rd Grade.* Euro.	Natives.	*4th Grade.* Euro.	Natives.	*5th Grade.* Euro.	Natives.	*6th Grade.* Euro	Natives.	*7th Grade.* Euro.	Natives.	*8th Grade.* Euro.	Natives.
0	42	6	0	0	2		0	11	0	41	1	2	4	16	3	8	19	1	4	0	1	0

CRIMINAL.

HIGH COURT JUDGES. Euro.	Natives.	SESSIONS JUDGES. Euro.	Natives.	Magistrates.	*1st Class.* Euro.	Natives	*2nd Class* Euro.	Natives,	*3rd Class* Euro	Natives.	*Cantonment Magistrates.* Euro.	Natives.
1	0	4	0		29	32	2	92	1	59	4	0

*The total columns 7 to 11 show the *actual number of individuals*, as required. As the same Officer has in some (but not in all) cases both Civil and Criminal powers, the figure totals of columns 10 and 11 are higher than totals shown.

JUDICIAL STATEMENT No. 7.—(Civil.)

STATEMENT showing the number and description of Civil Suits instituted in the Civil Courts in the Central Provinces in the year 1884.

Class of Tribunals.	Suits for money or moveable property.										Suits between landlord and tenant.						Title and other Suits.																		Grand Total.
	Contract in writing.	Contract not in writing.	On account stated.	Money lent and received.	Goods sold.	Wages, work and materials.	Breach of contract not mentioned above.	Rent not falling under the Rent Law.	Moveable property or the value thereof.	Damages.	Suits for ejectment.	Suits for recovery of possession.	Suits for arrears of rent.	Suits for recovery of a penalty for the levy of anything in excess of rent by a landlord.	Suits for recovering penalty from a landlord for refusing a receipt or giving a defective receipt.	All other suits between landlord and tenant not included above.	Suits for immoveable property.	Suits for declaratory decrees.	Other suits under the Specific Relief Act.	Suits to declare and establish rights to real property including pre-emption, foreclosure, &c.	Suits to declare and establish personal rights.	Suits for an account.	Suits relating to religious endowments.	Suits to set aside judgments, contracts or obligations on the ground of fraud.	Suits for dissolution of marriage.	Suits for enforcement of matrimonial rights.	Suits for partitions.	Suits relating to shrines.	Suits relating to religion and caste.	Administration suits.	Interpleader suits.	Dissolution of partnership.	Suits under Section 261, Act X. of 1865 (also Hindu Wills' Act.)	Other suits not falling under any of the previous heads.	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36
COURTS IN THE INTERIOR.																																			
I.—CIVIL COURTS.																																			
Unpaid Tribunals ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Village Courts ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Paid Sub-Divisional Tribunals ...	37,198	15,404	2,183	638	6,079	834	2,132	690	4,328	2,424	7	13	5,589	1	13	22	363	10	4	1	11	...	...	2	...	...	...	...	...	...	...	...	...	2	77,958
Small Cause Courts ...	5,160	1,767	580	110	2,781	248	82	181	130	299	...	...	...	...	...	...	...	...	...	...	2	...	...	...	...	...	...	...	...	...	8	...	...	1	11,349
District Courts other than Chief Courts of Districts ...	2,821	549	246	87	96	29	101	35	248	264	342	1,081	153	8	1	37	4,009	206	68	650	33	45	3	77	20	385	16	...	...	...	2	2	...	56	11,670
Chief Courts of Districts ...	37	9	9	2	2	...	...	...	3	5	3	1	7	...	...	5	45	10	...	40	2	3	...	5	...	20	...	...	...	...	2	1	...	5	216
Total ...	45,216	17,729	3,018	837	8,958	1,111	2,315	906	4,719	2,992	352	1,095	5,749	9	14	64	4,417	226	72	691	48	48	3	84	20	405	16	...	...	...	12	3	...	64	1,01,193
II.—REVENUE COURTS.																																			
Unpaid Local Tribunals ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Other Subordinate Courts ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
District Courts ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Total ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
COURTS AT THE PRESIDENCY OR SEAT OF GOVERNMENT.																																			
Presidency Small Cause Courts ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Superior Courts ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Total ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Grand Total ...	45,216	17,729	3,018	837	8,958	1,111	2,315	906	4,719	2,992	352	1,095	5,749	9	14	64	4,417	226	72	691	48	48	3	84	20	405	16	...	...	...	12	3	...	64	1,01,193

JUDICIAL STATEMENT No. 8.—(Civil.)

STATEMENT showing number and value of suits instituted in the Civil and Revenue Courts in the Central Provinces in the year 1884.

Value of suits.	Number of suits instituted in the different Courts.									Total value of suits.	Remarks.
	Not exceeding Rs. 10.	Do. Rs. 50.	Do. Rs. 100.	Do. Rs. 500.	Do. Rs. 1,000.	Do. Rs. 5,000.	Do. Rs. 10,000.	Exceeding Rs. 10,000.	Number of suits the value of which cannot be estimated in money.		
1	2	3	4	5	6	7	8	9	10	11	12
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
COURTS IN THE INTERIOR.											
I.—CIVIL COURTS.											
Unpaid Tribunals	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	
Village Courts...	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	
Paid Sub-Divisional Tribunals	22,548	41,387	9,234	4,789	.....	.....	.....	.....	.....	25,84,925	
Small Cause Courts	3,870	5,337	1,189	912	41	.....	.....	.....	.....	4,28,280	
District Courts other than Chief Courts of Districts ...	1,559	2,767	2,039	4,011	787	481	18	8	.....	29,56,686	
Chief Courts of Districts	6	12	26	10	5	114	29	14	.....	28,72,985	
Total ...	27,983	49,503	12,488	9,722	833	595	47	22	.....	88,42,876	
II.—REVENUE COURTS.											
Unpaid Tribunals	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	
Other subordinate Courts	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	
Collectors' Courts	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	
Total ...	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	
COURTS AT THE PRESIDENCY OR SEAT OF GOVERNMENT.											
Presidency Small Cause Courts...	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	
Superior Courts...	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	
Total ...	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	
Grand Total ...	27,983	49,503	12,488	9,722	833	595	47	22	.....	88,42,876	

JUDICIAL STATEMENT No. 9—(Civil.)

STATEMENT showing the general result of the trial of Civil and Revenue cases in the Courts of original jurisdiction in the Central Provinces in the year 1884.

PART I.—CIVIL SUITS.

Class of Courts.	Total number of suits before the Courts.	Number of suits disposed of										Pending at the close of the year.	No. of cases pending more than 3 months at the close of the year.	Average duration of suits.		Remarks.
		Transferred to Courts in other Provinces.	Without trial.	Without contest.				On reference to arbitration.		With contest.						
				Compromised.	Decreed on confession.	Decreed ex parte.	Dismissed ex parte.	For plaintiff.	For defendant.	Judgment for plaintiff in whole or in part.	Judgment for defendant.			Contested.	Uncontested.	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
COURTS IN THE INTERIOR.																
I.—CIVIL COURTS.																
Unpaid Tribunals	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	
Village Courts	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	
Paid Sub-Divisional Tribunals	83,299	.....	16,514	9,333	17,541	12,639	799	82	10	14,977	5,119	6,377	41	41·5	28·8	
Small Cause Courts	11,920	.....	1,864	1,304	2,502	2,374	79	7	5	2,283	697	817	2	22·3	19·4	
District Courts, other than Chief Courts of Districts	12,807	.....	2,224	826	1,331	1,192	101	47	4	3,625	1,896	1,612	83	60·1	40·4	
Chief Courts of Districts	246	.....	8	13	25	12	.....	2	.....	100	34	34	4	75·2	45·0	
Total ...	108,272	.....	20,630	11,476	21,399	16,217	979	138	19	20,985	7,746	8,840	130	43·3	28·7	
II.—REVENUE COURTS.																
Unpaid Local Tribunals	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	
Other Subordinate Courts	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	
District Courts	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	
Total ...	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	
COURTS AT THE PRESIDENCY OR SEAT OF GOVERNMENT.																
Presidency Small Cause Courts ...	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	
Superior Courts	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	
Total ...	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	
Grand Total ...	108,272	.....	20,630	11,476	21,399	16,217	979	138	19	20,985	7,746	8,840	130	43·3	28·7	

JUDICIAL STATEMENT No. 9.—(Civil.)

STATEMENT showing the general result of the trial of Civil and Revenue cases in the Courts of original jurisdiction in the Central Provinces in the year 1884.

PART II.—MISCELLANEOUS CASES (JUDICIAL.)

Class of Courts.	Total number of cases before the Courts.	Number of cases disposed of.										Pending at the close of the year.	Number of cases pending more than 3 months at the close of the year.	Average duration of cases.		Remark.
		Transferred to Courts in other Provinces.	Without trial.	Without contest.				On reference to arbitration.		With contest.						
				Compromised.	Decreed on confession.	Decreed ex-parte.	Dismissed ex-parte.	For Plaintiff.	For Defendant.	Judgment for plaintiff in whole or in part.	Judgment for defendant.			Contested.	Uncontested.	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
COURTS IN THE INTERIOR.																
I.—CIVIL COURTS.																
Unpaid Tribunals	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	
Village Courts	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	
Paid Sub-divisional Tribunals...	4,940	.....	1,188	157	506	537	211	19	3	1,295	690	236	.....	27·8	19·1	
Small Cause Courts	468	.....	227	8	1	4	15	3	2	96	94	18	.....	23·3	6·9	
District Courts other than Chief Courts of Districts.	1,711	.....	475	21	163	186	87	.....	.....	440	235	101	.....	35·5	22·6	
Chief Courts of Districts	202	.....	67	1	3	16	19	1	2	37	46	10	4	50·1	20·8	
Total ...	7,321	.....	1,960	187	673	841	332	23	7	1,868	1,065	365	4	29·9	18·7	
II.—REVENUE COURTS.																
Unpaid Local Tribunals	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	
Other Subordinate Courts	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	
District Courts	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	
Total ...	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	
COURTS AT THE PRESIDENCY OR SEAT OF GOVERNMENT.																
Presidency Small Cause Courts	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	
Superior Courts	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	
Total ..	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	
Grand Total ...	7,321	.....	1,960	187	673	841	332	23	7	1,868	1,065	365	4	29·9	18·7	

JUDICIAL STATEMENT No. 10.—(Civil.)

STATEMENT showing the business of the Civil and Revenue Appellate Courts of the Central Provinces in the year 1884.

PART I.—APPEALS.

Class of Courts.	Total number of appeals before the Courts.	Transferred to Courts in other Provinces.	Appeals summarily rejected.	Dismissed for default or otherwise not prosecuted.	Heard *ex parte*.				Contested.				Pending.	Of those pending more than 3 months.	Average duration of appeals.	Objections under Section 561, Act XIV of 1882
					Confirmed	Modified.	Reversed.	Remanded.	Confirmed.	Modified.	Reversed.	Remanded.				
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
COURTS IN THE INTERIOR.																
APPEALS FROM ORIGINAL DECREES.																
A.—CIVIL COURTS.																
Chief Appellate Courts other than Chief Court of District...																
Chief Appellate Courts of Districts	1,016	...	15	47	14	3	10	40	439	105	167	51	125	7	35 1	6
Superior Appellate Courts other than Chief Court of Province	3,710	...	463	201	88	23	65	50	1,406	344	534	155	381	3	36 8	7
	848	...	5	24	15	2	4	2	357	72	120	35	212	79	109 8	9
Total ...	5,574	...	483	272	117	28	79	92	2,202	521	821	241	718	89	48 0	22
B.—REVENUE COURTS.																
Collector's Appellate Courts	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Commissioner's Appellate Courts.	278	...	3	12	4	4	2	..	149	25	55	13	11	1	109·8	2
Total ...	278	...	3	12	4	4	2	...	149	25	55	13	11	1	109·8	2
COURTS AT THE PRESIDENCY OR SEAT OF GOVERNMENT.																
Chief Court of Province — Appeals from original decrees ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Chief Court of Province — Appeals from appellate do. — Civil ...	644	...	188	10	11	2	14	5	149	31	69	22	143	21	73 7	—
Chief Court of Province — Appeals from appellate do. — Revenue ...	63	...	22	1	1	...	...	...	13	3	11	3	9	1	70 5	—
Total ...	707	...	210	11	12	2	14	5	162	34	80	25	152	22	73 4	...
Grand Total ...	6,559	...	696	295	133	34	95	97	2,513	580	956	279	881	112	53·3	24

NOTE.—The revenue appeals in the Commissioner's Courts have been shown under "B—Revenue Courts."

JUDICIAL STATEMENT No. 10.—(Civil.)

Statement showing the business of the Civil and Revenue Appellate Courts of the Central Provinces in the year 1884.

Part II.—Miscellaneous Appeals. (Judicial.)

Class of Courts.	Total number of appeals before the Courts.	Transferred to Courts in other Provinces.	Appeals summarily rejected.	Dismissed for default or otherwise not prosecuted.	Heard *ex parte*.				Contested.				Pending.	Of those pending more than 3 months.	Average duration of appeals.	Objections under Section 561 Act XIV of 1882.
					Confirmed.	Modified.	Reversed.	Remanded.	Confirmed.	Modified.	Reversed.	Remanded.				
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
COURTS IN THE INTERIOR.																
Appeals from original decrees.																
A.—Civil Courts.																
Chief Appellate Courts other than Chief Court of District ...	36	...	...	3	2	...	...	3	7	1	5	12	3	...	35·2	...
Chief Appellate Courts of Districts	176	...	4	8	29	1	15	5	38	3	35	23	15	...	29·4	...
Superior Appellate Courts other than Chief Court of Province ...	76	...	4	2	...	...	2	...	27	3	10	12	16	...	79·6	...
Total ...	288	...	8	13	31	1	17	8	72	7	50	47	34	...	43 6	...
B.—Revenue Courts.																
Collector's Appellate Courts	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Commissioner's Appellate Courts	2	...	...	...	...	...	1	...	1	...	...	...	...	...	71·5	...
Total ...	2	...	...	...	...	...	1	...	1	...	...	..	...	...	71 5	...
COURTS AT THE PRESIDENCY OR SEAT OF GOVERNMENT.																
Chief Court of Province... Appeals from original decrees ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Chief Court of Province... Appeals from appellate do. ...	45	...	2	...	10	...	1	2	4	...	5	12	9	2	77·5	...
Total ...	45	...	2	...	10	...	1	2	4	...	5	12	9	2	77·6	...
Grand Total ...	335	...	10	13	41	1	19	10	77	7	55	59	43	2	47·9	...

Note.—The revenue appeals in the Commissioner's Appellate Courts have been shown under "B—Revenue Courts"

JUDICIAL STATEMENT No. 11—(Civil.)

Statement showing the result of proceedings on applications for the execution of the decrees of the Civil and Revenue Courts in the Central Rrovinces in the year 1884.

Class of Courts.	Total number of applications for the execution of decrees before the courts.	Applications disposed of				Pending at the end of the year.	Number of applications pending more than three months at the close of the year.	Amounts realized.		Number of applications.											
		By transfer.	Satisfaction obtained in full.	Satisfaction obtained in part.	Wholly infructuous.			With the issue of processes.	Without the issue of processes.	On which the judgment debtor was imprisoned.	On which he was arrested but released without imprisonment	On which moveable property— Was sold.	On which moveable property— Was attached but subsequently released.	On which immoveable property. Was sold.	On which immoveable property. Was dealt with under Sections 305, 323 or 326, Act XIV of 1882.	On which immoveable property. Was attached but subsequently released under Section 275.	On which possession was given— Of moveables.	On which possession was given— Of immoveables.	On which specific performance was enforced.	On which partition was effected.	On which execution was effected otherwise than as in the preceding columns.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
COURTS IN THE INTERIOR.																					
I.—Civil Courts.																					
Unpaid Tribunals	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Village Courts	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Paid Sub-divisional Tribunals	50,627	1,026	12,242	9,651	21,388	5,820	127	4,67,822	26,209	301	1,737	3,556	5,063	2,574	270	3,257	26	175	...	...	...
Small Cause Courts	8,472	797	1,669	1,601	3,624	781	59	54,321	1,828	105	488	479	443	...	...	...	...	...	...	...	2
District Courts other than Chief Courts of Districts	11,082	351	2,923	2,398	3,917	1,458	107	4,03,964	23,295	94	229	733	831	501	221	800	59	1,438	10	...	...
Chief Courts of Districts	254	24	79	48	69	34	10	60,528	6,212	1	9	23	19	12	14	20	6	31	1	...	9
Superior Courts	..	...	...	..	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Total ...	70,435	2,198	16,918	13,698	29,498	8,123	303	9,86,635	57,544	501	2,463	4,791	6,356	3,087	505	4,077	91	1,639	11	...	11
II.—Revenue Courts.																					
Unpaid Local Tribunals	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Other Subordinate Courts	...	...	...	...	..	...	...	...	...	...	...	...	...	...	...	...	...	...	..	...	...
District Courts	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Total ..	...	...	..	...	..	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
COURTS AT THE PRESIDENCY OR SEAT OF GOVERNMENT.																					
Presidency Small Cause Courts.	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Superior Courts	...	.	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	..	...	...
Total ...	...	...	...	...	...	...	..	...	..	...	..	.	...	...	...	...	...	...	...	...	...
Grand Total ..	70,435	2,198	16,918	13,698	29,498	8,123	303	9,86,635	57,544	501	2,463	4,791	6,356	3,087	505	4,077	91	1,639	11	...	11

JUDICIAL STATEMENT No. 12.—(Civil.)

STATEMENT showing the number and result of applications and proceedings under Chapter XX., Act XIV of 1882, in the Central Provinces, in the year 1884.

CLASS OF COURTS.	Applications for a declaration of Insolvency.								Number of insolvents discharged during the year under Section 355.	Number of insolvents' estates in the hands of receivers in which proceedings were finally closed during the year.	Amount of creditors' claims dealt with during the year.		Gross amounts of insolvency assets realized and disbursed.		REMARKS.
	Total number for hearing.	Transferred to another Province, withdrawn, &c.	Granted.		Rejected.			Pending at the close of the year.			Admitted.	Satisfied.	Realized during the year.	Disbursed during the year.	
			A receiver being appointed.	A receiver not being appointed.	Penal proceedings under Section 359, not being taken.	Sentence of imprisonment being passed under Section 359.	Applicant being sent to the Magistrate to be dealt with.								
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
Courts other than Chief Courts of District...	111	56	5	23	11	...	...	16	13	5	16,293	2,868	1,727	1,757	
Chief Courts of District	107	24	10	20	30	...	...	23	...	5	134,469	8,646	521	558	
Superior Courts	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Total ...	218	80	15	43	41	...	...	39	13	10	150,762	12,514	2,248	2,315	

JUDICIAL STATEMENT No. 13—(Civil and Criminal).

(Showing use of juries and assessors in the Civil and Criminal Courts in the Central Provinces in the year 1884 is blank as a Civil Return).

ADDITIONAL

STATEMENTS.

[Giving Statistics of Civil Suits only, and showing totals for each District.]

STATEMENT

Statement showing the number and description of suits instituted in th

Districts.	Suits for Money or moveable property.										Suits between Landlord and Tenant.					
	Contract in writing.	Contract not in writing.	On account stated.	Money had and received.	Goods sold.	Wages, work and materials.	Breach of contract not mentioned above.	Rent not falling under the Rent Law.	Moveable property or value therof.	Damages.	Suits for ejectment.	Suits for recovery of possession.	Suits for arrears of rent.	Suits for recovery of a penalty for the levy of anything in excess of rent by a landlord.	Suits for recovering penalty from a landlord for refusing a receipt or giving a defective receipt.	All other suits between landlord and tenant not included above.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
Nagpur	9,568	2,569	400	160	2,683	185	193	204	595	366	...	16	537	...	1	
Chanda	2,961	478	216	63	383	6	390	25	156	96	...	43	181	...	...	1
Bhandara... ...	3,780	1,608	4	21	242	12	13	5	42	177	15	9	341	...	...	
Wardha	3,531	1,002	614	52	649	10	55	34	587	136	...	10	470	1	1	
Balaghat	989	653	95	9	162	66	31	24	241	166	6	14	154	...	...	
Jubbulpore ...	2,671	1,256	371	84	873	136	17	104	120	253	39	177	451	..	...	
Saugor	2,104	801	159	25	262	47	37	71	264	66	...	71	194	...	...	...
Damoh	859	404	114	17	80	5	...	8	86	62	...	56	141	...	...	
Seoni	714	486	25	14	116	27	117	28	65	93	...	67	150	...	1	...
Mandla	187	293	31	29	139	7	13	1	50	51	...	11	98	...	...	
Hoshangabad ...	3,592	1,495	259	34	299	237	119	105	232	114	10	60	428	...	...	
Betul	1,068	487	54	52	191	36	41	20	226	133	1	19	197	...	...	
Narsinghpur ...	2,999	757	118	10	73	45	21	58	383	48	8	12	725	...	...	
Chhindwara ...	1,970	688	56	54	371	19	37	21	153	121	...	83	134	...	...	...
Nimar	4,568	982	299	89	936	97	78	81	241	132	6	13	248	...	...	...
Raipur	1,580	1,549	163	84	634	78	694	54	532	479	211	315	622	...	...	...
Sambalpur ...	1,239	1,085	46	9	407	60	76	28	331	277	14	2	360	8	1	2
Bilaspur	836	1,136	14	31	458	38	383	35	415	222	42	117	318	...	10	
Total ... 1884...	45,216	17,729	3,018	837	8,958	1,111	2,315	906	4,719	2,992	352	1,095	5,749	9	14	6
Total ... 1883...	45,054	16,422	2,458	686	7,935	1,382	2,141	790	3,940	2,746	...	...	...	...	...	...

STATEMENT No. II. Exhibition of abov

	Rs.															
Not exceeding	10	5,372	8,184	626	288	5,650	593	742	390	1,821	850	162	466	1,835	1	10	2
Ditto	50	26,448	7,651	1,318	319	2,824	430	1,194	376	2,182	1,380	150	500	2,962	3	1	2
Ditto	100	7,592	978	436	104	298	52	194	80	393	407	30	82	616	4	2	
Ditto	500	5,238	753	525	104	172	34	165	51	287	327	9	43	327	1	1	1
Ditto	1,000	363	80	61	13	10	2	14	7	23	17	1	4	6	...	...	
Ditto	5,000	190	74	49	9	4	...	5	2	11	10	...	...	3	...	...	...
Ditto	10,000	6	7	1	...	...	...	1	...	2	1	...	...	...	...	...	...
Exceeding	10,000	7	2	2	...	...	...	...	...	...	...	...	...	...	...	...	...
Total... 1884 ...		45,216	17,729	3,018	837	8,958	1,111	2,315	906	4,719	2,992	352	1,095	5,749	9	14	6
Total... 1883 ...		45,054	16,422	2,458	686	7,935	1,382	2,141	790	3,940	2,746	...	...	...	...	...	...

No I.

Civil Courts in the Districts of the Central Provinces, during the year 1884.

| Title and other Suits. | | |

STATEMENT

Statement showing the result of the trial of Original Suits

Districts.	For Disposal.					Dis			
	Remaining at close of previous year.	Re-instituted during the year (Sections 99, 108, 562, 623, Act XIV of 1882).	Received by transfer from other Provinces during the year.	Instituted during the year (Section 58, Act XIV of 1882).	Total.	Transferred to other Provinces.	Plaint rejected or returned after institution.	Dismissed for default (Section 98, Act XIV of 1882).	
								Number.	Percentage of total disposed of
1	2	3	4	5	6	7	8	9	10
Nagpur	1,117	352	...	18,026	19,495	...	114	2,630	14·6
Chanda	262	132	...	5,024	5,418	...	5	755	15·0
Bhandara	713	303	...	6,287	7,303	...	32	1,536	23·7
Wardha	583	370	...	7,170	8,123	...	43	1,365	18·4
Balaghat	120	86	...	2,676	2,882	...	10	463	17·4
Jubbulpore	425	120	...	6,990	7,535	...	44	1,347	19·6
Saugor	251	121	...	4,358	4,730	...	26	621	14·0
Damoh	107	51	...	1,983	2,141	...	8	327	15·7
Seoni	73	20	...	1,997	2,090	...	9	271	13·8
Mandla	24	7	...	929	960	...	6	147	16·3
Hoshangabad	514	156	...	7,419	8,089	...	35	1,713	23·1
Betul	186	92	...	2,638	2,916	...	37	512	18·5
Narsinghpur	428	135	...	5,504	6,067	...	54	1,048	18·4
Chhindwara	258	61	...	3,990	4,309	...	28	728	18·6
Nimar	730	145	...	7,879	8,754	...	38	2,109	26·7
Raipur	551	148	...	7,306	8,005	...	85	1,621	22·5
Sambalpur	472	156	...	4,209	4,837	...	67	870	19·5
Bilaspur	265	44	...	4,309	4,618	...	54	872	21·0
Total ... 1884 ...	7,079	2,499	...	98,694	1,08,272	...	695	18,935	19·1
Total ... 1883 ...	5,284	1,924	3	87,544	94,755	4	568	16,686	18·9